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COSTELLO

ROYAL COMMISSION OF INQUIRY INTO CERTAIN
DEATHS AT THE HOSPITAL FOR SICK CHILDREN AND
RELATED MATTERS.

In ch (cont'd)

Hearing held
8th floor
180 Dundas Street West
Toronto, Ontario

The Honourable Mr. Justice S.G.M. Grange

Commissioner

P.S.A. Lamek, Q.C.

Counsel

E.A. Cronk

Associate Counsel

Thomas Millar

Administrator

Transcript of evidence
for

January 30, 1984

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ROYAL COMMISSION OF INQUIRY INTO CERTAIN
DEATHS AT THE HOSPITAL FOR SICK CHILDREN
AND RELATED MATTERS.

Hearing held on the 8th Floor,
180 Dundas Street West, Toronto,
Ontario, on Monday, the 30th
day of January, 1984.

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THE HONOURABLE MR. JUSTICE S.G.M. GRANGE - Commissioner
THOMAS MILLAR - Administrator
MURRAY R. ELLIOT - Registrar

- - - - -

APPEARANCES:


P.S.A. LAMEK, Q.C.)	Commission Counsel
E. CRONK)	
T. C. MARSHALL, Q.C.)	Counsel for the Attorney
D. HUNT)	General and Solicitor General
L. CECCHETTO)	of Ontario (Crown Attorneys
	and Coroner's Office)
I. J. ROLAND)	Counsel for The Hospital
M. THOMSON)	for Sick Children
R. BATTY)	
B. PERCIVAL, Q.C.)	Counsel for The Metropolitan
D. YOUNG)	Toronto Police
K. CHOWN	Counsel for numerous Doctors
	at The Hospital for Sick
	Children
B. SYMES	Counsel for the Registered
	Nurses' Association of Ontario
	and 35 Registered Nurses at
	The Hospital for Sick Children
H. SOLOMON	Counsel for The Ontario
	Registered Nursing Assistants
D. BROWN	Counsel for Susan Nelles -
	Nurse

(Cont'd)...



APPEARANCES: (Continued)

E. FORSTER	Counsel for Phyllis Trayner - Nurse
M. ROSENBERG	Counsel for Sui Scott - Nurse
J. A. OLAH	Counsel for Janet Brownless - R.N.A.
B. JACKMAN	Counsel for Mrs. M. Christie - R.N.A.
S. LABOW	Counsel for Mr. & Mrs. Gosselin, Mr. & Mrs. Gionas, Mr. & Mrs. Inwood, Mr. & Mrs. Turner, Mr. & Mrs. Lutes, and Mr. & Mrs. Murphy (parents of deceased children)
F. J. SHANAHAN	Counsel for Mr. & Mrs. Dominic Lombardo (parents of deceased child Stephanie Lombardo); and Heather Dawson (mother of deceased child Amber Dawson)
W. W. TOBIAS	Counsel for Mr. & Mrs. Hines (parents of deceased child Jordan Hines)
J. SHINEHOFT	Counsel for Lorie Pacsai and Kevin Garnet (parents of deceased child Kevin Pacsai)



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1980 - April 5th, 1981.

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A/DM/ak

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--- Upon commencing at 12:00 noon.

4

MARY COSTELLO, Resumed

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THE COMMISSIONER: The judgment of
the Divisional Court has been given, the reasons
will be available for all counsel, I have just
spoken to Mr. Bridges.

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The majority of the Court, Madam
Justice Van Kamp and Mr. Justice Krever answered
the stated question "Yes"; Mr. Justice Reed answered
the question "No", and that he accepted as I under-
stand it the position that I can deal with every-
thing except whether or not the deaths were
accidental or deliberate. In any event, the majority
of the Court has given an answer to the stated case
of "Yes". Now, Miss Cronk?

16

MS. CRONK: Yes, sir.

17

DIRECT EXAMINATION BY MS. CRONK: (Continued)

18

Q. Miss Costello.

19

A. Yes.

20

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Q. When we broke on Thursday,
Miss Costello, as you will recall we had been
discussing the deaths which occurred on the cardiac
wards during the month of July, 1980. We have not
yet discussed the case of Laura Woodcock, who as you
may recall died on June 30th, 1980. As I understand



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it, she died on Ward B, do I have that correct?

A. Yes, she did.

Q. Were you working the day of her death, as best you can recall it?

A. I can't recall whether I was or not.

Q. To help you with that, Miss Costello, the nursing assignment books for Wards 4A and 4B as currently available to us have been marked as exhibits before the Commission. The purpose of these books as I understand it was to recall the nurses on duty on either Ward 4A or 4B for any given shift, do I have that correctly?

A. Yes.

Q. There is a separate book maintained for each of Ward 4A and 4B?

A. Yes, except for the brief period of time when we were together.

Q. And that was over the Christmas period 1980, as I understand it?

A. Yes.

Q. Whose duty was it to complete the entries in the assignment books?

A. The interest in the assignment books were primarily to select the assignment for



1
2 each nurse and to assure enough staffing, to get
3 more relief staff if we needed it. This was
4 primarily done by the head nurse Liz on 4A and me
5 on 4B, and by team leaders on weekend.

6 Q. So you would do that then on
7 Ward B during the day when you were on duty?

8 A. Yes.

9 Q. And Mrs. Radojewski during the
10 day on 4A?

11 A. Yes.

12 Q. The assignment book for Ward 4B,
13 Miss Costello, that has been marked covered the
14 period January 8th, 1981 to March 24th, 1981. We
15 have been unable to locate the assignment book for
16 Ward 4B that covers the summer of 1980 and the fall
17 of 1980 right through to the end of the first week
18 of January 1981. To the best of your knowledge is
19 that book still available?

20 A. It probably is not. The
21 reason is that I discarded them after a period of
22 time, after a few months, after the end of the book
23 there was no further use and I discarded them, this
24 was not done after the investigation started but
25 before I knew there was any reason to keep the book.

Q. It is my understanding that



1
2 the book was not available for example at the time
3 of the preliminary hearing. Do you recall now
4 whether the book was available at the end of March
5 1981 when the Metropolitan Toronto Police first
6 became involved at the Hospital?

7 A. I think it was not.

8 Q. We have heard something as
9 well about documents described as WINS sheets,
10 Ward Information Nursing Sheets, can you help me
11 as to the purpose for those documents?

12 A. They were a plan of what
13 staff would be on during the one week period, they
14 were derived from a six week rotation that was done
15 by the head nurse, and the clerk copied each week
16 as it was about to come to that week on to a WINS
17 sheet and this was used as a working tool to know
18 who was on that day.

19 Q. And were those sheets then
20 sent to the Personnel Department or the Payroll
21 Department of the Hospital?

22 A. No, they were transferred on
23 to a computer sheet for payroll.

24 Q. Were the separate WINS sheets
25 kept for each Ward 4A and 4B?

A. Yes, there were.



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2
3 Q. I'm sorry, you may have said
4 this, did you say that the clerk was responsible,
5 the ward clerk was responsible for completing the
6 entries on the WINS sheets?

7 A. She completed them in advance
8 of the week coming about, then probably me or the
9 team leader would make alterations as they happened.
10 For example, if someone were ill, or if someone
11 weren't relieving, or a relief nurse came in, or an
12 assignment was in some way changed, this would
13 be altered and there is an adjustment column to that
14 in.

15 Q. Were the WINS sheets completed
16 a week in advance, that is before the particular
17 week of duty had been completed, or were they
18 completed retrospectively?

19 A. They were prepared a week in
20 advance, adjustments were made on the ~~them~~ as most
21 went on, and adjustments were completed the Monday
22 after the week that ended on Sunday.

23 Q. Do I have it correctly then,
24 Miss Costello, that if the WINS sheets for Ward 4B,
25 for the period July 1, 1980 through to the end of
the first week of January, 1981 were available, they
would assist us in determining who was on duty on



1
2
3 Ward 4B at any given time during that period?

4 A. Yes, they would.

5 Q. Miss Costello, I am showing
6 you a bundle of documents described as "WINS sheets
7 for Ward 4B" covering the period June 23, 1980
8 through to April 5, 1981. I am going to ask you
9 to look at them if you will and tell me if they are
10 the WINS sheets for Ward 4B for that period of time?

11 A. Yes, they are.

12 THE COMMISSIONER: Exhibit 334.

13 MS. CRONK: I'm sorry, sir?

14 THE COMMISSIONER: Exhibit 334.

15 ---EXHIBIT NO. 334: WINS sheets Ward 4B June
16 23rd, 1980 to April 5, 1981.

17 MS. CRONK: Q. And I am showing
18 you what I understand to be WINS sheets for Ward A
19 for the same period of time, that is the week of
20 June 23rd, 1980 through to the end of the week
21 April 5th, 1981. Would you look at those and tell
22 me if they are the WINS sheets for Ward 4A for that
23 period?

24 THE COMMISSIONER: I'm sorry, what
25 is the difference between these?

MS. CRONK: These, as I understand



1
2 it, Mr. Commissioner, are for Ward 4A.

3 THE COMMISSIONER: And 334 was for?

4 MS. CRONK: Ward 4B.

5 THE COMMISSIONER: 335.

6 ---EXHIBIT NO. 335: WINS sheets, Ward 4A, June
7 23rd, 1980 - April 5th, 1981.

8 MS. CRONK: Q. Are those the
9 WINS sheets for Ward 4A?

10 A. They are, but there are some
11 extraneous sheets on the back.

12 Q. If we look at the back of
13 the bundle one is so extraneous as to be completely
14 blank and that may simply be a photocopying error
15 in our department.

16 THE COMMISSIONER: Can we just
17 remove them?

18 MS. CRONK: That would be fine, sir.

19 Q. And the last page, Miss Costello,
20 appears to relate to the period of duty for the
21 week of March 23rd to April 5th of selected
22 individuals who I take it to be night supervisors?

23 A. Yes, Lea Pyykkonen was the
24 night supervisor, Ross was evening and Johnstone
25 was night, but none of them should have been in



1
2 the WINS sheets for 4A.

3 Q. Could I ask you to look for
4 a moment please if you would at 4B WINS sheets. I
5 would like to assure that we are interpreting the
6 sheets correctly. Listed on the top right hand
7 side of the pages as I understand it, is the
8 applicable pay period covered by that particular
9 WINS sheets.

10 A. Yes.

11 Q. And beside that to the
12 immediate left is the designation of the ward to
13 which the sheet applies?

14 A. Yes.

15 Q. Beside that there is a key
16 which I take it is an indication for the entries
17 that then follow beside each individual's name?

18 A. Yes.

19 Q. For example if a "D" appears
20 besides your name on any given date that means you
21 worked an eight-hour day shift on that particular
22 date.

23 A. Yes.

24 Q. And similarly if the initials
25 LN appear the individual beside whose name the
initials appear worked a 12-hour night shift on



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Ward 4B, do I have that correctly?

A. You have that correct unless there is something in the adjustment column.

Q. Could you please explain to us, for example, how the adjustment column would work if someone was scheduled to work on nights and in fact did not?

A. There would be an entry there "ill", "absent", "relief on another ward", something that would indicate what happened.

Q. And if we looked down the left hand side of the page do we see there listed the names of all Ward 4B nursing personnel who worked during that particular week?

A. Yes.

Q. And immediately beside that there is a column entitled "Category", do I have it correctly that for example the letters "HN" beside your name are indication you were the head nurse? Where the letters "TL" appear it is an indication that that individual was a team leader, or "ATL" acting team leader?

A. Yes.

Q. Can you help me as to what the initials "UC" stand for which appear to be beside



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2

if I am reading it correctly, Mrs. Pedrescki.

3

A. Yes.

4

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Q. Then we have the particular day of the week involved, and an indication for each person on the particular shift that they happened to work that week, worked that day?

8

A. Yes.

9

10

Q. And then finally the total weekly hours worked by that individual?

11

A. Yes.

12

13

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Q. For example, could we look at your hours for this particular week, Miss Costello; as I read this you worked an eight-hour day shift commencing on June 23rd through to June 26th, 1980 and then add the next three days off duty?

16

A. That is right.

17

18

Q. In fact did you normally work an eight-hour day shift as opposed to a 12-hour day shift?

19

A. Yes, I did.

20

21

Q. When would you arrive at work to commence the eight-hour day shift?

22

23

A. Officially 7:15, I was usually there about 7:00.

24

25

Q. When did the eight-hour day



1
2 shift finish?

3 A. Officially 15:45 but I seldom
4 left that early.

5 Q. Can you help me please what
6 the hours were for the long day shift, did they start
7 at the same time 7:15 in the morning?

8 A. Yes.

9 Q. And when during the day did
10 that shift conclude?

11 A. 1945.

12 Q. What about the evening shift?

13 A. 1915 started and 0745 ended.

14 Q. And what about the eight-hour
15 night shift?

16 A. 11:15 to 7:45.

17 Q. And the long evening shift?

18 A. I don't think there was such
19 a thing.

20 Q. I asked you about that one,
21 Miss Costello, because I note in the key to the
22 WINS sheet the initials LE for a 12-hour evening
23 shift are set out, and indeed besides certain
24 individuals' names on occasion through the WINS
25 sheets we see the designation of a long evening shift.
Are you familiar with the hours of that shift?



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A. I don't remember that occurring
on our ward, I think some wards used different shifts.

4

5

Q. Not on Ward 4B.

6

A. I might be able to pick out
up but I don't recall it.

7

8

Q. What about long nights, can
you tell me as to when that shift started and
finished?

9

10

A. It started at 1915 and ended
at 0745.

11

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Q. If you look for a moment at
Mrs. Lyons' hours of duty during this particular
week, towards the bottom of the page, on June 26th
we see beside her name the letters "F1", can you
help me as to what that refers to?

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A. Floating Holiday 1, we had 9,
I think it was 9 stat holidays plus 2 that were
floating which meant they didn't have to be taken
on the day that the city or the country had that
holiday but could be taken at a time when it was
suitable for the individual and the staffing of
the unit.

22

23

Q. So I take it then on that
day she took the first of the two free holiday days?

24

25

A. Yes.



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Q. And similarly we see on the
27th of June beside her name the letters "H5", can
you help me as to what that means?

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6

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A. It would be the fifth statutory
holiday, I would have to think about that, probably
something like Easter or May 24th, if you want it
accurate I would have to think.

9

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Q. And she took it on that
particular day?

11

A. Yes.

12

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14

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Q. Could you turn please then if
you would, Miss Costello, to the WINS sheets for
June 30, 1980 for Ward 4B, that is the day of Laura
Woodcock's death. According to the WINS sheets you
were not working that day, do I have that correctly?

16

A. No, I was not.

17

18

19

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Q. You mentioned a few moments
ago as I understand it that in the adjustment column
if a particular nurse came in for duty and was
assigned to relief duty it should be noted in that
column, do I have that correctly?

21

A. Yes.

22

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Q. Would that apply as well if
a nurse from a ward other than 4B was assigned to
relief duty on 4B, would her name be included on the



1
2
3 4B WINS sheet?

4 A. This should have been xeroxed
5 as well, because this contains only here the relief
6 that came in on the back of the sheet.

7 Q. So there are apparently entries
8 on the back of the sheets and we will search for
9 them?

10 A. Yes.

11 Q. Was there anything contained
12 on the back of the sheet other than the relief nurse
13 assignment, as best as you can recall it?

14 A. Yes, there was a summary of
15 the NARvel which was the work load; there is a
16 summary of the direct nursing hours. Those were
17 kept on a daily record and when we kept statistics
18 for budget we made some other notations about how
19 much illness, how much education days, how many
20 vacancies on staff, how much relief was used, where
21 did it come from; how much relief was given out.

22 Q. And all that information was
23 I take it written in by hand on the back of the
24 applicable week's WINS sheet?

25 A. Yes, it was.

Q. I take it as well from the
WINS sheet for the week June 30th through to July 6th,



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3 that you were on duty on July 1st, 1980 the day
4 after Laura Woodcock had died, am I reading the
5 entries correctly?

6 A. Yes.

7 Q. Do you recall any questions
8 being raised when you came in for duty on July the
9 1st, Miss Costello, by any member of the nursing
10 staff on either Ward 4A or Ward 4B as to the cause
11 or circumstances of that child's death?

12 A. Not specifically, no.

13 Q. Was there at that time as best
14 you can recall it any suggestion raised that her
15 death was unusual, or not expected by the nursing
16 staff having regard to her clinical condition on
17 the 30th of June?

18 A. I know now from reviewing her
19 record, I remember that her condition was not such
20 that we expected her to die, but I can't tell you
21 whether we discussed it at that time.

22 Q. Did you as part of your duties
23 on Ward 4B have occasion to observe this child
24 personally while she was on the ward?

25 A. Yes.

Q. Do you recall doing so before
you went off duty on the 29th of June?



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A. It would have been the 26th.

3

Q. I am sorry, you are right.

4

A. Not specifically, I am sure

5

I would have seen her that day several times but I
6 can't specifically remember.

7

Q. Was there any suggestion as

8

best you can recall it raised by the nurses as to
9 the timing of her death, that it was considered by
10 them to be surprising or unusual having regard to
her condition?

11

A. I would think there would have

12

been but because I now have reviewed her record and

13

I know that she was considered fairly safe as far

14

as her cardiac condition was concerned. She was

15

considered to have an undiagnosed liver condition.

16

She was to be referred for further work up on the

17

liver condition and I don't think she was expected

18

to die at that time. So I expect we would have

19

worried about this but I can't tell you for sure
that we did.

20

Q. When you came in for duty on

21

the 1st of July, I take it you would have been

22

informed by your nurses on 4B that the child had

23

in fact died and when she died?

24

A. Yes, I would.

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Q. In those circumstances when
you arrived at work and there had been a cardiac
arrest and death that evening previously on your
ward, would you take or have the opportunity at that
time to review the medical record of the child
involved?



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F/BN/ak

A. Not unless I made a specific effort for it, because it would have gone to the Medical Records Department or to the Pathology Department by that time.

Q. Frequently the record would no longer be on the ward when you came in for duty?

A. It should not have been.

Q. When you did learn of Laura Woodcock's death, and it was reported to you by the 4B nurses, was there any explanation offered by any of the nurses who had been there during the previous evening shift -- excuse me, let me try again, Ms. Costello.

When you did come in and you did learn of Laura Woodcock's death, was there any explanation offered by any of the nurses who had been on duty the day of her death or indeed by any of the cardiologists on the ward as to the likely cause of her death?

A. I assume that there certainly would have been, but I cannot specifically remember. It would be unusual that there would not be.

Q. Do you recall whether or not there was an issue as to why Laura Woodcock had died?



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A. The same way I am answering you all these questions, I think there would be because she was not expected to die, but I cannot specifically remember of talking about it. I would think it would be unusual if we did not.

Q. Do you recall subsequent to her death, Ms. Costello, any discussions with any of the cardiologists on Wards 4A or 4B either by yourself or by any of the 4B nurses of which you became aware that resulted in an explanation for that child's death coming forward?

A. No, I do not think we had an explanation for her death that I am aware of.

Q. Did that situation continue for many months after the child's death?

A. I still do not know an answer to why she died.

Q. Do you recall that on Thursday last, as well, Ms. Costello, we discussed the death of Alan Perreault, and I had suggested to you that you had been on duty the day that he died. Could I ask you to turn, if you would, please, to the Ward 4B WINS sheet for July 8th, 1980, the day of his death.

A. Yes, I was on duty.



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Q. I take it, however, that

although you were on duty the day of his death on the basis of what you told me last Thursday you do not have any specific recollection of the child's death or the circumstances surrounding his death?

A. Only what I have gained since then by reviewing his record.

Q. Do you have any recollection of any information being provided to you, either by the cardiologists on the wards or the nurses who were actually attending to the child, as to the cause of his death?

A. Not specifically. I know now from reviewing his record that I surely must have known. I realized that he had hypoplastic left heart and that this is incompatible with life. I think I would have known it at the time, but I cannot tell you specifically how I heard it.

Q. Well, you have told me, Ms. Costello, that the nurses on Ward 4B and indeed I take it on 4A regarded the death of Laura Woodcock to have been unexpected. Insofar as you are aware, was there a similar perception concerning the death of Alan Perreault?

A. No.



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Q. Was there any suggestion made to you at any time by any of the nurses on Wards 4A or 4B that the circumstances or timing of his death were unusual, having regard to his condition?

A. No, there was not.

Q. If a cardiac arrest occurred on Ward 4A while you were on duty, Ms. Costello, would you have any responsibilities or function with respect to the arrest itself?

A. I would generally go to the room to assess whether there were sufficient people there and sufficient equipment and try to assess what was missing and provide that if I could. Then I would try to assess how the rest of the ward was covered, how other things were going on while this happened and remain available for anything that 4A needed to be done.

Q. I take it, then, that if Alan Perreault died, as the evidence suggests, at 11:45 in the morning on July 8th, that you would, upon becoming aware that he had suffered a cardiac arrest, have gone to his room to see if you could assist?

A. I think I would be.

Q. Do you recall participating



1
2 in any resuscitation procedures that were undertaken
3 with respect to that child, if any?

4 A. I cannot be specific. I do
5 not think so. I could have done something like --
6 probably I was not first there. If it was a 4A/B,
7 the cardiopulmonary resuscitation would have
8 been already started. I may have brought equipment
9 or hooked up oxygen or done something like that,
10 but I cannot remember.

11 Q. Thank you. You told me
12 Thursday as well, Ms. Costello, that you spoke with
13 Dr. Rowe prior to August the 5th concerning the
14 arrests and deaths which had occurred on the wards
15 during the month of July. Was Dr. Rowe, at the
16 time that you spoke to him, able to offer any
17 explanation as to why those children had died?

18 A. On August the 5th he said that
19 the reason for the recent deaths was that all these
20 children had anatomical defects that could not be
21 corrected by surgery.

22 Q. Do you recall discussing
23 with him at that time the death of Laura Woodcock as
24 well?

25 A. I do not know whether I did or not.

Q. Was it your impression that



1
2 the cardiologists felt that her death, as well, was
3 explainable due to her anatomical condition?

4 A. No, I do not have that
5 impression.

6 Q. Do you recall any specific
7 discussion with respect to particular children
8 during the course of your conversation with Dr. Rowe?

9 A. I am not sure.

10 Q. By the time that you spoke to
11 Dr. Rowe before August 5th, Ms. Costello, there
12 had been, if we count Laura Woodcock, six deaths on
13 those wards in approximately a 30-day period. Did
14 you yourself arrive at an explanation for their
15 deaths which was satisfactory to you? Did you know
16 why they had died in your own mind?

17 A. No, at that time I did not,
18 and that is why we were questioning it.

19 Q. The deaths, in fact, as we
20 know, continued through the month of August,
21 Ms. Costello, and by Septmeber the 2nd there had
22 been in total six more deaths; Philip Turner died
23 on August the 1st, Dion Shrum on August the 9th,
24 Kelly Monteith on August 19th, Paul Murphy,
25 Antonio Velasquez and Laurette Heyworth. None of
those children, as I understand it, died on Ward 4B;



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2 is that correct?

3 A. I do not think they did, but
4 I was not thinking of the end of the question when
5 you read them. Do you mind repeating the names?

6 Q. That is fair, all right.
7 Philip Turner.

8 A. No.

9 Q. Dion Shrum?

10 A. No.

11 Q. Kelly Monteith, Paul Murphy,
12 Antonio Velasquez and Laurette Heyworth?

13 A. No, they did not.

14 Q. None of those children died
15 on 4B?

16 A. No. Some of them had been
17 previous patients on 4B, but they did not die on 4B.

18 Q. I take it, however, although
19 they died on Ward 4A, that you, as head nurse on
20 Ward 4B, would be made aware of their deaths
21 virtually within 24 hours so long as you were not
22 on vacation or otherwise absent from the Hospital for an
23 extended period of time?

24 A. I would not necessarily by a
25 formal communication, but I think I would know at
least from an informal communication.



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3 Q. By the end of August 1980,
4 Ms. Costello, were you aware that there had been
5 11 deaths on the cardiology wards throughout the
6 summer months?

7 A. I do not think I counted them,
8 but I realized that there were an unusual number of
9 deaths during the summer months.

10 Q. Had you observed by the end
11 of August that the deaths, in fact, had continued
12 throughout the month of August?

13 A. Yes.

14 Q. Did you observe, as well, that
15 the deaths that had occurred during that month, for
16 the most part, had again occurred on Ward 4A?

17 A. Yes.

18 Q. Were you conscious at that
19 time that most of those deaths, as well, had
20 occurred in the early hours of the morning?

21 A. Yes.

22 Q. You told me last Thursday
23 that you, as best as you can recall it, knew by the
24 end of August or into September that most of the
25 deaths that had occurred over the summer months had
occurred when members of the same nursing team on
wards 4A had been on duty?



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A. Yes.

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Q. Did that factor, once you became aware of it, have any significance for you?

5

6

A. Concern for those staff who were going through this great stress.

7

8

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Q. Did you regard it as unusual, Ms. Costello, that that many deaths would occur on the same ward where members of a same nursing team were on duty?

10

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A. No, not really because I have seen that before. As you have said, I have been in nursing for almost 31 years, and sometimes things happen that seem like luck, that one individual or one group of individuals will happen to be there when most deaths occur. At that time and during this period I thought that that was what was happening. I did worry about this death, but I thought it was something like that.

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Q. Well, we know, Ms. Costello, that prior to these events you had been a head nurse on the cardiology wards, be it 5A or subsequently 4B for some six and a half years. During those years, had you ever before been exposed to what I might describe as a rash of deaths associated with the same ward and members of the same nursing team?



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A. Not that I am consciously aware of, and it was six years total that I was there, so at this time it was about 4 years.

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Q. I beg your pardon, all right. But I take it that you do not recall -- do not have a conscious recollection of that kind of an incident or circumstance arising during those four years?

9

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17

A. No.

Q. Similarly, we know that you have nursed for a great many years at other hospitals before returning finally to the Hospital for Sick Children. In your experience at other Hospitals prior to returning to the Hospital for Sick Children, had you ever before been exposed to a rash of deaths associated with the same ward and members of the same nursing team in the early hours of the morning?

18

19

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A. I think yes; I do not know that the team members were as consistent as they were in this situation, but yes, it did happen to individuals, that when they would be on nights they would have the luck to have more deaths than other individuals would have.

23

24

25

Q. Did you, in the situation that you are recalling, observe that there were a great



1
2 many deaths associated with one particular individual?

3 A. No.

4 Q. That was an unusual feature in
5 this instance, I take it then, because the members
6 of the same nursing team appeared to be there with
7 some frequency when these deaths occurred?

8 A. Yes.

9 Q. At the end of August when there
10 had been five further deaths, and indeed, another
11 death on September the 2nd and you were aware, as
12 you have told me, by that time that the deaths
13 appeared to be associated with the same nursing
14 team being on duty, did you again seek out Dr. Rowe
15 or any of the other cardiologists to raise the
16 matter again?

17 A. To raise the matter of it
18 being related to that team, no.

19 Q. Did you seek them out to
20 discuss those deaths with them?

21 A. I am not sure. I think it
22 was generally discussed, and it was certainly
23 discussed at the mortality meetings that we
24 requested and had, the first one being on September
25 the 5th, the next on September 26th.

Q. I will come to the mortality



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meeting on September the 5th in a moment.

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6

We have spoken several times about these deaths occurring in association with the same team, and I take it we are talking about Phyllis Trayner's team?

7

A. Yes.

8

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11

A. Bertha Bell's.

12

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16

Q. Did any explanation present itself to you at the beginning of September, Ms. Costello, as to the reason why all of these children were dying and the circumstances in which they were dying?

17

18

A. I think only as it was discussed in the September the 5th meeting.

19

20

Q. Well, you have told me a moment ago that you, I think, had requested that meeting to be held?

21

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A. I do not know specifically if I requested it, but I think that in general, all of us were asking the doctors for meetings when we could discuss cause of the deaths.



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3 Q. Well, do you personally recall
4 having spoken again with Dr. Rowe after your discus-
5 sion with him in the early part of August concerning
6 specifically these deaths that occurred during the
month of August on the wards?

7 A. I cannot be sure that I did
8 or that I did not, no.

9 Q. Did any member of the Ward 4A
10 or Ward 4B nursing staff raise with you concerns
11 as to the death specifically of any of the children
who had died in August?

12 A. Yes, I know that they were
13 all concerned. I cannot tell you now which baby's
14 death, but I know that when these deaths occurred
15 they were certainly expressing their concern, the
16 members of staff of both wards.

17 Q. Do you recall any suggestion
18 with respect to any of the children who had died
19 in August that once again their deaths had not been
expected?

20 A. I am not sure I can answer
21 that, but I think that whether or not it was
22 expected, the nurses were expressing concern, are
23 we sure we did everything, are we sure we did not
24 miss anything, are we sure we called the doctor in
25



1
2 time, are we sure we did the right thing in carrying
3 out the resuscitation procedure.

4 Q. Well, we know, Ms. Costello,
5 from our discussions last Thursday that there did
6 appear to be a very specific concern, for example,
7 regarding the cause of death of Amber Dawson?

8 A. Yes.

9 Q. And you have told me today,
10 for example, that there appeared to be some
11 uncertainty as to the cause of death of Laura
12 Woodcock which, in your own mind, continues to
today; do I have that correctly?

13 A. Yes.

14 Q. Do you recall a similar
15 issue being raised with respect to any specific
16 child that had died during the month of August?

17 A. I cannot state that I remember
18 that specifically now, but I do remember them
being discussed at that meeting.

19 Q. You told me last Thursday
20 as well, Ms. Costello, that as best as you can
21 recall it, on a Sunday morning when you were
22 working in the nurse's office that you were
23 requested by nurses from both Ward 4A and Ward 4B
24 to hold a meeting to talk about the frequent arrests
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that were occurring at night. Do you recall
whether that request was made during the month
of August or in early September 1980?

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A. I have difficulty deciding
when that was. It may have been.

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Q Do you recall who came to you
with that request?

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A The group that were working
nights on both wards that night, as I passed through
the ward, just because that was one entry to walk
through going to nursing office asked me to come
back after I had received a report from the nursing
office to talk to them about this; as a group
collectively.

10

11

Q What group was that, Ms.
Costello?

12

13

A The nurses who had worked nights
that night, that previous night on 4A and 4B.

14

15

Q All right. Was it the team
leader or individual members of both teams that
approached you?

16

17

18

A I don't remember now. It
wasn't individual, it probably was whoever saw me
passing by.

19

20

21

Q What concerns specifically did
they express to you, Ms. Costello, as the basis for
requiring a meeting to talk about these arrests?

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A Their concerns, were they
adequately staffed to handle this? They were in a
frightening position that there were many arrests



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happening on nights. They found this very stressful, they were very worried about whether they were doing the right thing and they were worried about whether they had enough staff to cope with what seemed to be becoming a pattern of frequent arrests on nights.

Q - Do you recall whether as part of the discussion which led to the request for a meeting there was mention made of a specific child's death that seemed to be of particular concern to them?

A. I can't recall that now.

Q All right. You told me as well as I understood it last Thursday that at the time the request for a meeting was made the nurses were at least indicating I believe your word was complaining, that one Marianne Gracewell, a new nurse, was finding it particularly difficult to deal with all of the arrests that had been happening on the wards. Do I have that correctly?

A. Yes, but there was an error in spelling in the transcript, it is Bracewell, with a "B".

Q You anticipate my next question. You were talking then about Marianne Bracewell?

A. Yes.

Q When did she start in the



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cardiology unit, as best as you can recall it?

3

A I would have to look.

4

5

Q Well, perhaps you can tell me
this, Ms. Costello. Was it before or after the
cardiology units were relocated to Wards 4A/4B?

6

7

A Before.

8

9

Q All right. So, I take it she
had for some period of time been nursing on Ward 5A?

10

11

A Yes, I don't think it was long.

Q Was the meeting that was requested
by the 4A and 4B nurses in fact held?

12

A Yes.

13

14

Q Was it held the same day or at
a later day?

15

A The same day, early in the
morning.

16

17

Q Other than yourself, was
Elizabeth Radojewsky present at that meeting?

18

A No, she was not on duty.

19

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Q All right. Do you recall what
the nature of the discussions were at the meeting
concerning these deaths and arrests?

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A I think what I have just said
to you that it was concerning, was staffing adequate,
are we doing the right things, do we have enough



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staff, do we have the competence, is there some concern that new staff, Marianne being an example, are exposed to the great stress of having to work where these arrests are happening.

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Q As best as you can recall it, Ms. Costello, was the request for that meeting triggered by the death the previous night of any particular child, as best as you can recall it?

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A I don't recall now whether it was or not. I assume now that it was more general than that but I'm not sure.

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Q We spoke before, last Thursday, about a meeting amongst Ward 4A nurses that took place to discuss at least in part some of these arrests. That meeting took place on July 31st, 1980. I can tell you that based on my review of the Ward 4A and 4B communication books and ward meeting books, the next meeting of nurses at which these arrests were specifically discussed was held on October 22nd, 1980. Is that the meeting that you are referring to when you say you were requested to hold a meeting?

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A No, it is not.

Q As best as you could recall it, did it happen before the October 22nd meeting?

A Yes, I think so.



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Q Can you recall who was at the
October 22nd meeting?

A I would recall better looking
at the notes. I know that Karen Power, Meredith
Frise ---

MS. SYMES: Could she be shown the
minutes of that meeting?

THE WITNESS: Yes, that would help.

MS. CRONK: Could we start perhaps
this way, Ms. Costello. Mr. Registrar, could you show
the witness if you would please, Exhibit 309.

Q Ms. Costello, Exhibit 309 is a
series of handwritten notes which have been marked
as an exhibit in these proceedings. Do you recognize
the handwriting?

A Yes, it is mine.

Q These are your notes?

A Yes, they are.

Q When were they made, Ms. Costello?

A They were made approximately
early April of 1981, after Susan Nelles had been
arrested.

Q Can you tell me why you made
these notes at that time?

A Because Mr. Carter, who was a



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lawyer at the Hospital, was advising us how to deal with this situation we were in, advised us to make some notes for our own personal memory. I definitely made them from my own personal memory with no intent at that time that anyone else would see them.

Q I understand, Ms. Costello. About two-thirds of the way down on the first page of these notes, starting about the 7th line from the bottom, there is an indication that:

"When working weekend ... "
do you see that?

A. Yes.

Q Could you read that sentence for me, please?

A. "When working weekend the nursing office was called Saturday or Sunday a.m. to talk with 4A and B teams who were so upset by the number of deaths and saw solution as increased staff. Attendance: Phyllis, Marianne Bracewell, Shirley-Anne, Yvonne, etc., can't remember others."

Q Is that the meeting that you were referring to a few moments ago when you said that you were requested one Sunday morning to meet with the



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nurses from 4A and 4B to discuss these deaths?

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A. Yes, it is.

4

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Q All right. And do these notes assist you, Ms. Costello, in recalling specifically what was discussed at the meeting?

6

7

A To the extent that I remembered specifically when I wrote these notes, which isn't necessarily true.

8

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Q What was your perception in April of 1981 as to what was discussed at this meeting?

12

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A We talked about the budget, expectations, there was discussion that the situation that we were working in was too difficult for new staff, I discussed that the particular new staff that we were talking about, which was Marianne Bracewell, had paediatric experience, so, more was expected of her than of some new staff who had no experience.

19

20

Q To the best of your recollection, Ms. Costello, were any physicians present at that meeting?

21

22

A No, they were not.

23

24

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Q Were there any registered nursing assistants or registered nurses present other than



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those you have indicated in these notes, as best as
you can recall it?

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A. I didn't remember then and I
don't remember now. I think there were more than
that number but I don't know that there were.

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Q. As best as you can recall it,
did those present at the meeting express concern to
you that the deaths that had been taking place were
occurring for the most part at night during the
early hours of the morning on Ward 4A in the presence
of the same members of the same nursing team?

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A. Only part of that. I think they
expressed that they were occurring at night. No, I
am not aware that the other two items were discussed
at that time.

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Q. As best as you can recall it,
did the fact that the deaths seemed to be occurring
in association with one nursing team have any
significance or pose any concern to those who were
present at the meeting?

20

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Q. All right. What was the result
of the meeting as you understood it, Ms. Costello?

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A. Can I try to explain that, the
way the nurses on the ward look at staffing is to



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2 wish, as we all would I guess, that we would be
3 staffed for the optimalcy. So that whatever happened,
4 the worst situation that could happen we would have
5 enough staff for that. But that isn't a fact of life
6 with budget in hospitals we can't staff for the
7 worst all the time, we have to staff for somewhere
8 between the easiest night and the hardest night. I
9 think that to some extent I tried to explain that
10 there, that we cannot staff, we cannot afford to
11 staff expecting an arrest every night, there has to
12 be some leeway and we will have to make the best of
13 that and we will have to call for extra staff when
14 we needed it, when the occasion arises.

14 Q That's helpful, Ms. Costello.
15 Can you help me as well as best as you can recall it
16 as to what the result of the meeting was?

16 A I hoped that they understood a
17 little bit about what I was saying about budget, I
18 hoped that I understood a little bit about what they
19 were saying about their stress. I hope you left it
20 open to further discussion.

21 Q There appears to be a suggestion,
22 Ms. Costello, and I invite you to tell me if I am
23 misinterpreting your notes, there appears to be a
24 suggestion that at least some of the nurses who were
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present at that meeting thought the solution to the increased number of arrests was the addition of more staff. Do I have that correctly?

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A. I am sure I didn't promise that.

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Q. All right. Well, I am not suggesting that you did promise it but was it the feeling of some of the nurses present at the meeting that that would be a solution to the number of arrests?

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A. I am sure that that is what they were requesting. I don't think that they received the answer but that is what they would get.

13

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Q. Well, I am referring to your own language in your own notes, Ms. Costello, in the second last sentence on page 1 of your notes when you say that you were asked to talk to the 4A and 4B teams who were so upset re number of deaths and saw solution as, I take it, increased staff. Am I correctly interpreting the notes that at least some of those present at that meeting thought that the addition of more nursing staff would be sufficient to deal with the problem of the arrests that were occurring?

22

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A. I don't know if it would be sufficient but it would certainly help, I'm sure they



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saw it that it would help.

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Q. Did you regard that as a

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solution?

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A. A utopian solution, not a

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realistic one within the budget probably.

7

Q. Was there as a result of that

8

meeting any suggestion that the cardiology or
physicians should be consulted to discuss these

9

deaths further?

10

A. Not that I recall.

11

Q. You have told me that there was

12

a request ultimately made, I take it by the nurses,

13

that a meeting be held with the physicians and that

14

in fact a mortality and a morbidity meeting be held
on September 5th at which they were discussed?

15

A. Yes.

16

Q. Do I have that correctly?

17

A. Yes.

18

Q. Do you recall when the nursing

19

request came forward that that meeting be held?

20

A. As I recall, it wasn't one

21

specific time it was general requests all through the

22

summer saying can we get more facts from the doctors

23

about why these children have died, can we review

24

everything that was done for them from a medical and

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nursing point of view, can we have more information so that we can reassure ourselves that we have been doing everything we could to prevent these deaths?

Q. We know from prior evidence, Ms. Costello, that there were in fact two meetings held, one on September 5th and another one on September 26th, 1980. Were you, as best you can recall it, in attendance at these meetings?

A. Yes.

Q. What did you understand the purpose generally of the meetings to be?

A. To examine the cause of death for those children, for the cardiologists to explain what they had found as cause of death for these children, to look at the care that the children had received from a medical and nursing point of view, to assess if that was appropriate and adequate, to look for any problem areas that we could work on to improve the situation to prevent this happening again.

Q. Do you recall at the meeting held on September 5th a specific discussion concerning David Taylor and his death?

A. Yes.

Q. To the best of your recollection,



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Ms. Costello, was the possible involvement of digoxin in the death of that child discussed at the September 5th meeting?

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A. I don't recall that it was.

6

Q. All right.

7

Mr. Registrar, could you show the witness, please, Exhibit 46.

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Ms. Costello, Exhibit 46 is introduced as notes made by an individual who was present at the September 5th meeting. I draw your attention to page 11, it is numbered 11 on the top right-hand corner. You have told me that you were at this meeting and you recall a discussion with respect to David Taylor but that you do not recall, as I understood it, any specific discussion concerning the possible involvement of digoxin.

21

A. Yes, I do.

22

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Q. All right. Do these notes assist you in any way, Ms. Costello, in recalling what the nature of the discussion was concerning David Taylor



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at that meeting and whether or not there was
discussion concerning the possible involvement of
digoxin in his death?

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A. I can't recall that for sure. Do
you want some clarification of how it could have
happened?

7

8

Q. If you recall how it did happen,
we are interested in that.

9

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A. No.
Q. All right. I take it - I should
ask you, do you recall at that meeting any particular
physician who was present or, indeed, any nurse who
was present raising with respect to any of the
three children who were discussed at that meeting
the question of digoxin involvement?

15

16

17

18

A. No, I do not.

19

20

21

22

Q. Was that a matter which in your
own mind was an issue with respect to David Taylor
when you attended that meeting on September 5th?

23

24

25

A. No, it was not.
Q. All right. Had you considered it
as a possibility with respect to any of the children
who had died over the summer, at that stage?
A. Not specifically but I think it
is something that we reviewed and if some of them had



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had digoxin levels drawn we would assure ourselves
what the level was.

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Q Do you recall having specifically
done that with respect to any of the children who
died over the summer?

7

8

A I can't name a specific child
that we did that with, no.

9

10

Q All right. Do I take it then
that you are assuming that if the child had received
digoxin that would have been done?

11

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13

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A No. It may have been done and I
think that we would probably have tried to assess
that the results were normal but no, I don't recall
specifically.

15

16

17

Q Whether it was done or not?

A On any particular patient and
it would not be done routinely, it was done as ordered
at that time.

18

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Q All right. There were two other
children who were discussed at that meeting, Ms.
Costello; one was Baby Turner and the other one was
Baby Bilodeau. When we come to the meeting of
September 26th, however, there are a number of other
children discussed.



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Do you recall a discussion at that
meeting concerning Antonio Velasquez?

A. Yes.

Q. Was there in the minds of
those present insofar as you understood it a question
as to why that child had died?

A. Yes.

Q. Why did you understand that
the child had died?

A. There was some concern whether
the immediate cause of death was related to the
drugs that he had received.

Q. And what drugs were they?

A. They were Codeine and Naloxone
and Narcan .

Q. Was there any explanation
put forward at that meeting as to the cause of the
child's death?

A. I think there was an explana-
tion that he had received a little more Narcan
than was recommended in the Handbook of The Hospital
for Sick Children, but that it was not -- that it
had been checked out with experts and that it was not
really an overdose.

MS. CRONK: Mr. Registrar, could you



1
H2 2 show the witness, if you would please, Exhibit 51.

3 A. Thank you.

4 Q. In light of what you have
5 just told us, Miss Costello, as best as you can
6 recall it, was there any suggestion made at that
7 meeting that Velasquez had received an amount of
8 Narcan sufficient to contribute or to cause his
death?

9 A. No. It says:

10 "Although it had been established
11 that Naloxone dosage was not really
12 excessive."

13 Therefore I assume that no they
14 were not considered to be excessive and a cause of
death necessarily.

15 Q. Apart from what is recorded
16 in the Minutes, Miss Costello, do you recall any
17 discussion at that meeting at which it was suggested
18 that the amount of Narcan the child had received
19 might have contributed directly to his death?

20 A. I think it was considered as
21 an idiosyncratic response that the baby may have had.

22 Q. Was it in fact suggested at
23 the meeting that the child had suffered from an
24 adverse reaction both to the Codeine and the Narcan
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that he had received?

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A. I think it was suggested that
4 could be a possibility, yes.

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Q. In your experience, Miss
Costello, at The Hospital for Sick Children prior
to the case of Antonia Velasquez, had you ever been
exposed to or involved in a case of a patient at
the Hospital whose death was attributed to an adverse
reaction to Narcan ?

10

A. No, I had not.

11

12

Q. Was that a new experience for
you?

13

A. Yes, it was.

14

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Q. When you left the meeting
on September 26, Miss Costello, were you in your
own mind satisfied that an appropriate explanation
for Velasquez' death had been advanced at that
meeting?

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A. I guess I believed that we
had, with the knowledge that we had at that time
that what we assumed what the doctors assumed to be
the cause of his death.

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Q. Insofar as you were aware,
Miss Costello, was there still some doubt in the
minds of those present at the meeting, or indeed in



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your own mind, as to what had caused that child's
death?

3

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A. No. I think what is bothering
me is, yes, of course, we were concerned that drugs
had caused it, does that answer you?

5

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Q. I'm not sure that it takes
me much further. Do I have it from you that when
you left the meeting you accepted the explanation that
had been put forward at the meeting for the child's
death?

8

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A. Yes.

12

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Q. When you left the meeting
did you indeed have a concern in your own mind as
to the cause/^{of death}of any of the children who were dis-
cussed at that meeting?

14

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A. The concern was less than
before the meeting because now I had more information
on what was the doctors' opinion of the cause of
death and because we had reviewed whether anything
else could have been done.

20

21

Q. We know for example, Miss
Costello, that in addition to Velasquez, Dion Shrum --

22

A. Yes.

23

Q. -- and Baby Montieth were both
discussed at that meeting.

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A. Yes.

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Q. As a result of the meeting,
and when you left the meeting, was there doubt in
your mind as to the cause of death of either of
those two children?

A. No.

Q. Did there seem to be, amongst
those present at the meeting, insofar as you were
aware lingering or remaining concern that the cause
of death of either of those two children had still
not been adequately explained?

A. No.

Q. Miss Costello, at any time
during the meeting, either on September 5th or on
September 26th, when all of the staff cardiologists
who attended were present and the various nurses
including yourself were present, was there any dis-
cussion which you can recall concerning the fact that
many of these deaths had occurred at night on Ward 4A
in the early hours of the morning? Was the time
of death a matter of discussion at those meetings?

A. I don't think so. I don't
recall that it was.

Q. Was there any discussion as
you can recall regarding the fact that most of these



1
H6 2 deaths took place while members of the same nursing
3 team were on duty?

4 A. No, I don't think so.

5 Q. To the best of your knowledge
6 were the physicians or any of them who were present
7 at the meetings on September 5th and September 26th
8 aware of the fact that many of these deaths were
9 occurring when members of the same nursing team were
in attendance?

10 A. I am not aware that they did.
11 They had the same opportunity that I did to observe
12 it but I wasn't aware that they did.

13 Q. You have told us previously
14 that very early on in the summer, at the end of July,
15 you spoke to Dr. Rowe and as you understood it
16 Elizabeth Radojewski spoke to Dr. Contreras; you
17 have told us as well that there were further dis-
18 cussions on a less formalized basis as I understand
19 it during the rest of the summer. Did you at any
20 time raise with any of the physicians connected with
21 the Cardiology Unit the fact that there appeared to
be an association of these deaths with the same
nursing team on Ward 4A?

22 A. No, I did not.

23 Q. To the best of your knowledge
24
25



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was it raised with them by any other member of the
nursing staff on Wards 4A or 4B?

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A. No.

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Q. As you know, Miss Costello,
following the September 26th meeting, there were a
series of other deaths on Ward 4A, that of Richard
McKeil, who died on October 15th; Antonio Adamo,
who died on October 19th; and Francis Volk, who died
on October 23rd. Of those children, that is those
who died in October, were there any specific concerns
raised with you by members of the nursing staff
concerning their deaths?

13

A. Yes.

14

15

Q. With respect to which of the
three children, or indeed was it with respect to
all of them?

16

17

A. Could you name the three
again, please, Adamo, Volk and...?

18

Q. McKeil.

19

20

A. No, I am not aware of her.
I do remember Adamo and Volk.

21

22

Q. Do you recall specifically
who raised concerns with you concerning the death
of Antonio Adamo?

23

24

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A. In an indirect way it was Karen



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2 Power. I had overheard Phyllis Trayner in the
3 morning of October 22nd as I can recall it now,
4 expressing her great concern about Baby Adamo's
5 death and had the team done everything they should;
6 had they observed as well as they should; had they
7 treated as well as they should; had they got the
8 doctor there in time; had they carried through their
9 resuscitation procedures as well as they could. I
10 recall not directly being involved but overhearing
11 because I was in the environment, Phyllis asking
12 for this reassurance from Dr. Freedom. I recall
13 him replying it was not the nurses' fault, it is not
14 your fault, there is nothing missing in what you did.

14 Later in the morning on October 22nd
15 I was asked by Karen Power's team to have a meeting.
16 One of the things that came up at that meeting was
17 the statement by Karen, "Phyllis told me Dr. Freedom
18 blamed her for that death". That shocked me because
19 I had overheard the discussion.

19 Q. Do I have it then correctly
20 that on the morning of October 22nd, Karen Power's
21 team, or Karen Power herself, came to you and
22 requested a meeting?

22 A. Probably Karen Power but it was
23 a meeting of the whole team that was requested.
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Q. Was Karen Power a team leader on Ward 4B?

A. Yes.

Q. And that meeting was in fact then held the evening of October 22nd?

A. No, we had a meeting immediately in the late morning of October 22nd.

MS. CRONK: Before we continue, Mr. Commissioner, to deal with the meeting which occurred on October 22nd, would this be an appropriate time to rise?

THE COMMISSIONER: Yes. All right.

Then until 2:30.

MS. CRONK: Thank you, sir.

--- luncheon recess.



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--- on resuming.

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THE COMMISSIONER: Yes, Ms. Cronk.

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MS. CRONK: Thank you, sir.

5

Q. Miss Costello, you will re-

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call this morning that we discussed the Sunday
morning on which you were requested by various ward

7

4A and Ward 4B nurses to meet and review with them

8

and discuss the various deaths that had occurred on

9

the wards. Based on a review of the WINS sheets

10

for Ward 4B, it appears that throughout the summer

11

and fall of 1980 you are listed as having been on

12

duty at the Hospital on three Sundays, the first of

13

which occurred on July 27, 1980, the second of

14

which occurred in October, October 12, 1980, and

15

the third, as I have suggested, in December.

16

With that information in hand, does

17

it assist you in determining when you were requested

to meet with the nurses from Wards 4A and 4B?

18

A. I think it was more likely

19

July 28th.

20

Q. And why is that?

21

A. Because I know we discussed

22

Marianne Bracewell being new, and I have looked back

23

through previous WINS sheets to see when she came.

24

I cannot establish it exactly but it seems to have

25



1
AA2 2 been during May and June 1980.

3 Q. The date then, as best you
4 can recall it and reconstruct it on which you were
5 requested and did in fact hold that meeting, would
6 be Sunday, July 27th, not 28th, as you suggested?

7 A. Yes, 27th.

8 Q. I am sorry, I believe you
9 just indicated that you thought that Marianne Bracewell,
10 then, had been hired in May or June of 1980 rather
11 than during the course of the Cardiology Unit still
12 being on Ward 5A?

13 A. It seems so from the data
14 that I have available now.

15 Q. You will recall, Miss Costello,
16 that last week we marked as Exhibit 332, Mr.
17 Registrar, a list of the nursing staff that was
18 hired and a list of those that had resigned during
19 the nine-month period on Ward 4B. I do not, on my
20 review of that exhibit, see an indication that
21 Miss Bracewell was hired on Ward 4B during that
22 nine-month period.

23 A. I do not see it there, and
24 I looked in Beth's file in information that I made
25 this from, and I do not see it there. But I also
do not see her on the WINS sheets up until May 4th,



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so there is an error someplace that I cannot
straighten out right now.

Q. If your recollection, then,
is correct in that Miss Bracewell was hired after
the Cardiology Unit relocated to Wards 4A/4B, I take
it that the complement of Registered Nurses was
increased by one, namely by Miss Bracewell; is that
correct?

A. It looks like it should be,
but I do not think it was. I am sorry, it is a
puzzle.

Q. Well, perhaps we will leave
that matter there, and if you can clarify it further
for us, we would be appreciative.

A. All right. Thanks.

Q. Before we broke for lunch,
as well, we were discussing the concerns that had
been raised with you by various members of the
nursing staff concerning the deaths of Antonio
Adamo and as well, as I recall your evidence, Francis
Volk. You told us that there was a meeting on
October 22, 1980 amongst nurses at which Antonio
Adamo's death was discussed; do I have that
correctly?

A. Yes.



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Q. Were there nurses from both wards in attendance at that meeting?

A. No, not the one that I was at.

Q. Which ward?

A. 4B.

MS. SYMES: Excuse me, could the witness have the communication book and the ward book for 4B?

THE COMMISSIONER: She has it, I think.

MS. SYMES: There is a separate volume as well.

THE WITNESS: Yes, there is a separate one for 4B.

MS. CRONK: Mr. Registrar, could you show Miss Costello, please, Exhibit 301.

Q. While the Registrar is getting that exhibit for you, Miss Costello, as I understood your earlier evidence, you told us that Karen Power, as best as you can recall it, requested that that meeting be held?

A. I think she requested it on behalf of her team, herself and her team.

Q. Did she tell you why she felt a meeting was desirable?



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A. Stress.

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Q. Was there any other reason

4

put forward by Miss Power as to why the Ward 4B

5

nurses should get together?

6

A. They needed support, they

7

needed help in the stress that they were in. They

8

wanted to talk about how they could find some

9

support for themselves.

10

Q. We know, Miss Costello, that

11

Antonio Adamo died on Ward 4A on October 19, 1980.

12

Did his death, as best as you can recall it, trigger
Miss Power's request for a meeting?

13

A. I think it could have been

14

part of the trigger or it could have been the final

15

trigger or the last straw or whatever.

16

Q. Well, after that child had

17

died, Miss Costello, when you learned of his death,

18

did the nurses at that time raise specific concerns
with you concerning the way that child had died?

19

A. It seemed to be a reiteration

20

of the nurses' fears that we had heard with other

21

deaths too, did we do everything, did we call the

22

doctors in time, did we observe everything, did we

23

do all the appropriate treatment, did we carry out

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the resuscitation in a proper way, was there anything

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missed, could it have been our fault in any way?

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Q. Miss Costello, I would refer you to page 7 of the Ward 4B meeting book. That is Exhibit 301, at which is recorded details with respect to the meeting held on October 22nd. That is page 7. Do you have that?

A. Yes.

Q. Am I correct that the death of Antonio Adamo was specifically discussed at that meeting?

A. His name does not appear here. Putting things together and remembering when he died, I think this is the baby we were discussing, but his name is not written here.

Q. Well, the first paragraph recorded under the entries for October 22nd refers to an arrest that occurred on Sunday, October 19th at 1600 hours.

A. Yes.

Q. Do you recall Antonio Adamo's death being specifically discussed at the meeting?

A. Yes, because Antonio Adamo was the baby who died on Sunday, October 19th. I do not know whether we used his name at the meeting.

Q. There are four individuals



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AA7 2 listed on page 7 with respect to the entries for
3 October 22nd: Karen Power, Meredith Frise, Shirley
4 Anne Parcels and yourself. Other than those
5 individuals, do you recall any other nurse or any
6 physician being present at that meeting?

7 A. Definitely no physicians,
8 and I think no nurse.

9 Q. What was the nature of the
10 concern being expressed concerning Antonio Adamo?

11 A. Concern that some of the
12 nurses somehow felt that his death had something
13 to do with their behaviour.

14 Q. Can you help me as to what
15 the nurses indicated was the basis for their con-
16 cern in that regard?

17 A. The way that it is written
18 here by the person who wrote the notes at that
19 meeting says:

20 "Talking about arrest on Sunday,
21 October 19th at 1600, that the team
22 leader on 4A was not being supported
23 by doctors. Two nurses on 4A feeling
24 that the arrest was their fault."

25 Q. Well, stopping there, Miss
Costello, do you know which nurses on Ward 4A had



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2 apparently felt that the arrest was their fault?

3 A. I know that one was Phyllis.
4 I am not sure who the others were.

5 Q. Do you recall there being
6 any doubt expressed at the meeting by any of the
7 nurses in attendance as to the cause of Antonio
8 Adamo's death?

9 A. Doubt in the way that -- the
10 same thing I have been saying all along. I think
11 that all nurses, and particularly these in this
12 instance, were worrying whether there was something
13 they could have done differently that would have
14 influenced the course of his life or death.

15 Q. Did there seem to be, as best
16 you can recall it, Miss Costello, an explanation
17 that was satisfactory to yourself and the other
18 nurses at that meeting as to why that child had
19 died?

20 A. This morning I told you that
21 I had overheard Dr. Freedom stating that there were
22 adequate medical reasons to explain that baby's
23 death as he saw it at that time, and I accepted that
24 as the truth without going into detail.

25 Q. Did any of the other nurses
at the meeting seem concerned or uncertain as to why



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the baby had died?

A. I guess they did because they came to the meeting saying to me that these nurses are feeling it is their fault. I do not think they talked specifically about we want to know what was the cause of Antonio Adamo's death. I think that they spoke specifically about the nurses are worried whether it was their fault or whether there was anything they could have done differently to influence this baby's course.

Q. Do you know why particular nurses felt that the death may in some way have been attributable to their conduct?

A. I think it was normal concern and a professional review of your conscience all the time in any action which is exaggerated at a time of death and perhaps even more so when you have been through a series of deaths. I do not think it was related to anything they actually knew they did or did not do. I do not think it was related to any accusation.

Q. As best as you can recall it, Miss Costello, was the death or arrest of any other child discussed at this meeting other than Antonio Adamo?



1
AA10 2 A. I do not think so. If it was,
3 it may have been in a general way, but I do not think
4 so.

5 Q. According to the Ward 4B
6 WINS sheets, Miss Costello, although you were not
7 on duty the day before Antonio's death, that is,
8 October 18th, you were on duty on Friday, October
9 17th. Did you personally have an opportunity to
10 observe this child when you were last on duty on
the 17th?

11 A. Probably not. He was on 4A.
12 I cannot say I did not see him, but it would not
13 have been my duty to necessarily observe him.

14 Q. As best as you can recall
15 it, was his condition considered to be critical by
the nursing staff on Ward 4A?

16 A. I think he was fairly ill.
17 I cannot answer beyond that right now.

18 Q. Was there, amongst the other
19 matters discussed at the meeting on October 22nd,
20 concern expressed that the child's death had been
unexpected given his clinical condition?

21 A. I have heard that but I do
22 not know when I heard it.

23 Q. When you did hear it, was that
24
25



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2 something that you heard from members of the nursing
3 staff?

4 A. Yes.

5 Q. There was, as I understand it,
6 a further meeting held the very next day, that is,
7 October 23rd, amongst members of the nursing staff.

8 A. Yes.

9 Q. Were you in attendance at
10 that meeting as well?

11 A. Yes, I was.

12 Q. How did that meeting come
13 about, Miss Costello?

14 A. On October 22nd, when we had
15 that meeting, we talked -- Karen Power's team, in
16 specific, talked about the need for a support meeting
17 for them, and then I expect that they also, prior to
18 and probably following this, had discussed with 4A
19 staff who were the parallel team. We decided that
20 day, at the October 22nd meeting in the morning,
21 that we would set up a time and place for this
22 meeting, and I think it was pretty well decided at
23 the October 22nd meeting that we would do it, whoever
24 could come or wanted to come on October 23rd in the
25 evening.

Q. And the meeting on October 23rd,



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included nurses as well from Ward 4A, did it not?

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A. Yes, it did.

4

Q. If we turn to page 8 of the

5

Ward 4B meeting book, do we see set out there beside

6

the entries for October 23rd an accurate list, as

7

best you can recall it, of those who were in

8

attendance at the meeting on October 23rd?

9

A. Yes.

10

THE COMMISSIONER: This is Exhibit...?

11

MS. CRONK: 301, sir.

12

THE COMMISSIONER: Mine is almost illegible.

13

THE WITNESS: It is almost illegible.

14

THE COMMISSIONER: But I see on

15

October 23rd, I think, somebody has written in the names, yes, all right.

16

MS. CRONK: Q. Perhaps, Miss

17

Costello, you could refer to the original of the

18

book and, if you would, please, read out the names

19

of the individuals who were in attendance at that meeting.

20

A. The first names are here.

21

Do you want complete names?

22

Q. Yes.

23

A. Karen Power, Shirley Ann

24

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Costello
dr.ex. (Cronk)

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Parcels, Meredith Frise, myself, Diane Crosswell,
Mary Cooney, Gloria Ganassin, Jean Partridge,
Phyllis Trayner, Carol Putherbough, Janet Beed.



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Q. Was that meeting held during
the day or in the evening, Ms. Costello?

4

A. In the evening.

5

Q. Was it held at the Hospital?

6

A. No.

7

Q. Where was it held?

8

A. Meredith Frise's apartment.

9

Q. Was there as best you can
recall it with the assistance as well of these notes
discussion at that meeting specifically concerning
any child who had died in the recent past on Wards
4A/4B?

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A. The nurses came to this
meeting very distressed because they had just dealt
with another arrest and death that afternoon before
they came and I think this was Baby Volk.

17

Q. Was Baby Volk's death then
a matter of discussion at the meeting?

18

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A. In a general way, that it
was again our stress, our need for support, here
it has happened again, but in specific to what
happened to that baby, no, I don't think so.

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Q. Do you recall any concern
being expressed at this meeting as to the cause of
Francis Volk's death?



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A. Not specifically, no.

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Q. Did the concern with respect to Antonio Adamo arise again at this meeting as it had the day previously?

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A. I can only think that it was in a general way rather than each baby it was a general discussion of the nurses' stress because there are so many deaths of which these two were the most recent, but I don't know whether their names were even mentioned. I'm not really remembering that they were.

12

13

14

Q. Do you recall any other child's deaths specifically being dealt with or discussed at this meeting?

15

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A. No, not specifically I don't.

Q. Well, Ms. Costello, there is I suggest to you a reference to a particular arrest that occurred contained in these notes. I would refer you to the last paragraph on page 9 in the first sentence. Would you help me please if I am reading this correctly that 11 people had gone home saying that the arrest, in quotes, was their fault, the child "died". Am I reading that correctly?

23

24

25

A. That's what it says but it doesn't appear logical to me. I have no memory of



1
2 anything about ll, I can't translate ll, I can't
3 think who the ll were. I think it must have been
4 an error by the person who was writing the notes.

5 Q. Do you know who wrote these
6 notes?

7 A. Meredith Frise.

8 Q. Do you recall any discussion
9 at that meeting that the arrest of either Antonio
10 Adamo or Francis Volk was felt to be the fault of
11 certain nurses who were in attendance at the meeting?

12 A. It could have been a reiteration
13 of what we talked about on the 22nd that some nurses
14 were concerned about Adamo but I'm not sure, I don't
15 know whether any name was used.

16 Q. I take it you don't recall one
17 way or the other?

18 A. I don't recall any names being
19 used, no.

20 Q. There is an indication as well
21 in the first paragraph of the notes, Ms. Costello,
22 that Karen Power --

23 THE COMMISSIONER: On that page?

24 MS. CRONK: I'm sorry, on page 8,
25 Mr. Commissioner.

Q. That Karen Power who was at the



1
2 meeting indicated to those present that, and I am
3 quoting:

4 "We need support and that we don't
5 need our team to break up."

6 Do you see that?

7 A. Yes.

8 Q. Was there a discussion at that
9 meeting regarding the breaking up of Karen Power's
10 nursing team?

11 A. Yes. I don't think this was
12 the first discussion of it and I don't think it was
13 specifically related to Karen Power's nursing team
14 but there had been discussion for a while about the
15 possibility of changing the teams as they then
16 existed.

17 Q. All right. And were the
18 discussions concerning the breaking up of teams
19 focused on any particular nursing team?

20 A. They were, with the intent to
21 relieve - if breaking up the team would help to be
22 able to relieve the pressure on the team that
23 appeared to be on when most of the deaths occurred.

24 Q. And what team was that?

25 A. Phyllis Trayner's.

Q. Do you recall when it was first



1
2 proposed or discussed that Phyllis Trayner's
3 nursing team should be split up?

4 A. It was discussed in the fall
5 obviously before this meeting. I can't tell you
6 exactly when the first discussion of it was.

7 Q. Am I correct in my understanding,
8 Ms. Costello, that although it was a matter of
9 discussion the team in fact was not split up?

10 A. No, they were not.

11 Q. Can you help me as to why that
12 was the case?

13 A. The members of that team
14 felt confident in working together. They had
15 established some security in working together. I
16 guess I could generalize that to say the members of
17 all teams felt more secure with the people they knew
18 and were accustomed to working with. That was
19 particularly expressed by Phyllis' team, that we had
20 been working together, we have been through a lot,
21 we know how to work together now, we know how to
22 work together now even in an arrest situation and
23 how to do resuscitation, we know what to expect of
24 one another because we had been together and we
25 are more comfortable to stay together than to have
strangers on our team.



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Q. Why was it considered desirable by some, Ms. Costello, that the team in fact be broken up?

A. To relieve the pressure on a team that seemed to have bad luck or something for some reason, who were having many deaths occur while they were on duty.

Q. I take it then that at least in part the focus of the meeting was directed to the facts that many of these deaths were occurring while Phyllis Trayner's nursing team, or at least members of her nursing team were on duty?

A. I don't know if it was particularly talked about at the meeting but I think it was fairly general knowledge that that is the team that has had the most stress.

Q. All right.

A. And I guess you can recognize that it was Karen's team who asked for it from the day before, who asked for the meeting because of the stress who by then were saying everyone on this ward was very stressed.

Q. All right. When you say that it was generally recognized that that was the team under the highest degree of stress, by whom was it



1
2 generally known?

3 A. The nurses on the ward.

4 Q. Was there at that time, this
5 is now the latter part of October, any knowledge
6 insofar as you are aware on the part of physicians
7 or the cardiologists on the unit that this degree
8 of stress was being experienced by that team?

9 A. I don't know that there was
10 in retrospect, I just kind of think they had the
11 same evidence that I had to come to the same conclusion
12 that I had, to come to that conclusion if they wanted
but I did not talk to them about it.

13 Q. Apart from the reluctance by
14 some of the members of Phyllis Trayner's team and
15 Phyllis Trayner herself, as you have just indicated,
16 from having their own team split up, insofar as you
17 are aware was there also reluctance by other nurses
to serve on that particular nursing team?

18 A. Yes, and that was two part,
19 they didn't want to leave their own team because
20 they were a little bit secure and knew people there
21 and they were afraid to be on a team that seemed to
22 have such bad luck.

23 Q. And by that time, as you
24 have suggested, it was clearly known amongst all
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the nurses that many of the deaths, if not most of the deaths, were occurring while Phyllis Trayner's team was on duty?

A. Yes.

Q. Do you recall now which particular nurses, be it one or more, who was reluctant to serve on that team and the nature of their concern?

A. The nature of their concern was the same for all of them I think, but I remember many individuals on many different occasions stating that and it seemed to be a general opinion. I can't just name anyone at this meeting who stated that except it appears that Karen's team said they did not want to be broken up.

Q. I would refer you as well to your handwritten notes, Ms. Costello, Exhibit 309. Do you still have a copy of those? I refer you to page 3, Ms. Cronk. I'm sorry, could we start on page 2. The first full sentence, and I would ask you to tell me if I'm reading this incorrectly:

"For several months nearly continuously from summer until March, number of arrests and usually deaths stayed high. All this time most arrests occurred



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"when Bertha's team, Bertha Bell,
Marianne Bracewell, Shirley-Anne
Parcels, Yvonne Lyons, 4B and Phyllis'
team, Phyllis Trayner, Sue Nelles,
Sui Scott and Mrs. Christie who were
on --- "

I take that to be long nights?

A. Yes.

Q. All right. And then there is a
note "Most on 4A versus 4B".

A. Yes.

Q. And that is a reference to the
number of deaths?

A. Yes, it is.

Q. And where they were occurring?

A. Yes.

Q. Right. "And variously..."
is that variously interpreted?

A. Yes.

Q. "And variously interpreted as
fate, bad luck, unbelievable, et cetera".

A. Yes.

Q. Was that as you understood it
the reaction of the nurses to these increasing deaths?

A. Yes.



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Q. All right. And then:

"Others wished to have some occur on their shifts to relieve the pressure on these people. I wished for some to occur on days when I could be there to support them."

And then would you turn with me please to page 3, the fourth line towards the end:

"In ? October while doing Bertha's..."

Can you help me with the next word?

A. I'm sorry, I haven't found it.

The fourth last line.

Q. I am sorry, the fourth line from the top towards the right hand side of the page.

A. Yes.

Q. The sentence begins:

"In ? October while doing Bertha's..."

Is that evaluation?

A. Yes.

Q. "Bertha expressed concern and stress re working on team parallel to Phyllis because of Phyllis' behaviour re arrest and her expectations of everyone at this time. Bertha was crying, very hurting, discussed



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"this with Liz Liz, Carol, Janet and I discussed the problem and Liz tried to deal with it through Phyllis' evaluation. Some time during the fall told Barb Greanleaf in Lea Pyykkonen's absence about our stress re deaths and heard from Karen that Phyllis was getting easier to work with."

Was there concern at this meeting on October 23rd expressed by members of Bertha Bell's team regarding working on Phyllis Trayner's team?

A. I don't think members of Bertha's team were at this meeting.

Q. There were no members of Bertha Bell's team there?

A. I can't say absolutely but they are not recorded here.

Q. Aside from the fact that many of the deaths appeared to be occurring on Wards 4A when members of Phyllis Trayner's team were on duty, aside from that fact was there any other concern expressed to you by any of the 4B nurses or any other of the 4A nurses regarding working on Phyllis Trayner's team?

A. At this meeting, is that what



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2

you are asking me?

3

4

Q. At any time on October 23rd or
prior to that?

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A. Or prior to that. I'm going
to consider what you just read from my notes during
Bertha's evaluation as being after that, is that
all right.

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11

Then I would say prior to that when-
ever we spoke of breaking up the teams almost anyone
who heard the discussion would say I don't want to
go on that team, I'm afraid to.

12

13

14

Q. And again, as you understood
it, did that have to do with the number of arrests
and deaths that occurred?

15

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A. Yes, it did.

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Q. Was there any other reason?

A. I didn't hear any other reason
why people did not want to work on that team.

Q. All right. You told us last
Thursday, Ms. Costello, that around September or
October as best as you could recall it you spoke to
Barbara Greanleaf, an acting nursing co-ordinator
regarding the deaths that had been occurring on
Wards 4A/4B.

24

25

A. Yes.



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Q. Do you recall that?

3

A. Yes.

4

5

Q. And in the passage from your notes that I have just read there is reference again to a discussion with Barbara Greanleaf. I take it that was by you?

6

7

A. Yes.

8

9

Q. All right. And you told us last Thursday that you spoke as well to Lynn Johnstone, one of the night supervisors?

10

11

A. Yes.

12

13

Q. And you thought that was around the same time, September or October?

14

A. Yes.

15

16

Q. Is there a difference, Ms. Costello, between an acting nursing co-ordinator and a night nursing supervisor?

17

18

A. Yes, the acting co-ordinator was in the line position above me; the night supervisor was parallel to me on another shift.

19

20

21

Q. All right. I take it then that Miss Greanleaf was in a hierarchical sense in a superior nursing position to Miss Johnstone?

22

23

A. She was to me but not directly to Miss Johnstone, her boss would be - it would

24

25



1
2 be Mary Sword and then above that I think it would
3 be directly to Anne Evans and Miss Geiger.

4 Q. Miss Geiger was the director
5 of nursing at the time?

6 A. Yes.

7 Q. What position would Anne Evans
8 hold?

9 A. I think we are calling it
10 assistant director of nursing, I'm not sure at what
11 time we called her that and at what time we called
12 her senior co-ordinator.

13 Q. Were either of Miss Greanleaf
14 or Miss Johnstone present at these meetings on
15 October 22nd and October 23rd?

16 A. No, they were not.

17 Q. Was Miss Greanleaf the usual
18 co-ordinator for Wards 4A/4B?

19 A. No.

20 Q. All right. Did a particular
21 supervisor have responsibility usually for Wards 4A?

22 A. Lea Pyykkonen.

23 Q. And was that true throughout
24 the entire nine month period?

25 A. Yes.

Q. Did you ever discuss with her



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the increased deaths and arrests which you had
observed on these wards?

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A. Yes.

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Q. All right. Do you recall
when you did so?

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Q May we deal then with Ms.

Greenleaf and your discussions with her. Do you recall specifically what you told Ms. Greenleaf with respect to these arrests and deaths when you met with her?

THE COMMISSIONER: I am sorry, I am trying to keep these names straight. Miss, what was the name of this supervisor?

THE WITNESS: Do you want Greenleaf, Pyykkonen?

THE COMMISSIONER: Both.

THE WITNESS: Greenleaf was the acting co-ordinator for our area during the period and it is just spelled, Green and then leaf. Lea Pyykkonen was our co-ordinator but she was away at the time, and Lea is spelled without no "h" and Pyykkonen is P-y-y-k-k-o-n-e-n.

THE COMMISSIONER: And Pyykkonen was - what was her position?

THE WITNESS: Area co-ordinator of the area which included 4A and 4B.

THE COMMISSIONER: And Miss Greenleaf was?

THE WITNESS: She was an area co-ordinator of another area but she covered



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Lea Pyykkonen's area while Lea was away.

3

THE COMMISSIONER: Yes, all right.

4

What is this leading up to so I will know what I am supposed to - I am sorry, are you leading up to who was present and who was not?

5

6

7

MS. CRONK: I am interested, sir, in the information that was conveyed by Ms. Costello and the other head nurses to the senior nursing administration representatives during the fall with respect to these deaths.

8

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THE COMMISSIONER: I see.

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MS. CRONK: Q Ms. Costello, during your discussion with Ms. Greenleaf, did you draw to her attention that many of these deaths were occurring on Ward 4A during the early hours of the morning?

15

16

17

18

A. Yes.

19

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Q Did you draw to her attention as it were that many of the deaths were occurring while members of the same nursing team were on duty?

A. As I recall I did.

Q Did you as well draw both of those matters to the attention of Miss Johnstone?

A. Yes.

Q And to Miss, I am sorry I mispronounce her name.



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A. Miss Pyykkonen?

3

Q. Yes. Did you draw those matters
4 to her attention?

4

5

A. Yes.

6

Q. To the best of your knowledge
7 did any of those individuals, or did you yourself
8 draw those matters to the attention of the Director
9 of Nursing in the fall of 1980?

9

A. I know now that those individuals
10 did, I did not know that at the time.

11

THE COMMISSIONER: I am sorry, you
12 know now what?

12

13

THE WITNESS: That Barbara Greenleaf
14 did speak to Miss Geiger.

14

15

THE COMMISSIONER: In light of some
15 our discussions this morning is this appropriate,
16 this line of questioning?

16

17

MS. CRONK: I'm sorry, sir, in my
18 submission we have had evidence in the past as to the
19 knowledge of the various physicians on the cardiology
20 unit.

20

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THE COMMISSIONER: Yes.

22

MS. CRONK: As to the association of
23 these deaths and a particular nursing team, and
24 their association with a particular time frame. It

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seems to me that in fairness to this witness we should know what information was conveyed to the other arm in the Hospital, if you will, that is the nursing side, and that has not been established through Ms. Costello.

THE COMMISSIONER: Yes, all right.

MS. CRONK: Q You told me previously that the hours normally worked by nursing night supervisors - I am sorry, you have told me what they are, how many days per week did they normally work?

A. Five.

Q Did they work weekends as well?

A. Yes.

Q Amongst the four or five night nursing supervisors that you previously named, was one supervisor assigned on a continuing basis for responsibility to Wards 4A and 4B?

A. Yes, generally, I think it would be mostly Lynn Johnstone when she was on duty.

Q When the night supervisors were on duty at night, what time of the night would they generally visit Wards 4A and 4B?

A. Because I wasn't there at night I can't answer you that directly, but from further conversations with them in other situations I know



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that they came fairly early, before 1 o'clock
usually.

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Q Were there set times throughout
the night when nursing supervisors would attend on
the cardiology ward?

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A No, it would depend on their
total workload and where the loudest needs were at
the time and how many interruptions they had.

8

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Q Would they be required to be
there at least once throughout the 12-hour night
shift?

12

13

A Yes. They did not work 12 hours
though, they worked 8, but yes.

14

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Q So during their 8-hour shifts
they would be required once, at least once, to visit
those two wards?

16

17

A Yes.

18

19

Q Was it part of their responsibility
as well to make rounds with the team leaders who were
on duty at night?

20

21

A It was, but it was their
discretion whether they made rounds on specific
patients or all the patients.

22

23

Q Was there a set time in which
they would do the rounds if they did them?

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A. No.

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Q. Did the meetings between the nursing staff on 4A and 4B continue throughout the months of November and December 1980 as best as you can recall it, Ms. Costello?

7

A. Yes.

8

9

10

Q. Do you recall specific discussions in either November or December regarding the deaths which had occurred on the wards during those two months?

11

A. Not specifically.

12

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Q. To assist you with that, I understand that two children died on Ward B during the month of December, 1980, John Onofre on December 9th, and Jesse Belanger on December 28th, 1980 at 8:10 p.m. Do you recall any specific concern being expressed to you by any members of the nursing staff with respect to the death of either of those children?

18

A. I don't recall specifically, I am sure there was.

(2)

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21

22

Q. You mentioned earlier in the day, Ms. Costello, that over the Christmas period in 1980, Wards 4A and 4B were joined, do I have that correctly?

23

A. Yes.

24

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Q. And that I take it was for the



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purpose of freeing as many staff as possible out
over the holiday season?

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A. That was the purpose and it was
possible because occupancy was low over that period
when many parents took their children home over
Christmas, and when elective admissions and elective
operations were not done.

8

9

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Q. During the period of time that
the ward was treated as one, would there be one or
two team leaders on duty at night?

11

12

13

14

A. One.

Q. Do you know what period of time,
that is what period of time in December and January
this arrangement was in place?

15

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A. December 24th at 7:15 in the
morning to January 3rd, 1930.

19

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Q. I take it then it was in place
on the day Jesse Belanger died, that is December the
28th?

A. Yes.

Q. There was another child who died
in December on Ward 4A, Ms. Costello, Stephanie
Lombardo, who died on December 23rd; she had been
admitted to the Hospital on December 13th and died
10 days later. Did you have occasion during this



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10-day admission to hospital to observe her condition?

3

A. Not very specifically.

4

Q. Do you recall seeing the child
personally?

5

A. Yes.

6

7

Q. According to the Ward 4B WINS
sheets, Ms. Costello, you worked an 8-hour day shift
on December 22nd, the day before she died. Do you
recall having seen her on that day before you left
work?

10

11

A. I can't recall specifically whether
I did or not.

12

13

Q. Did you have any impression in
the days preceding December the 23rd as to the
seriousness or stability of her condition?

14

15

A. At this time I can't answer that
because of memory.

16

17

Q. You don't recall?

18

A. No.

19

Q. Do you have any recollection as
to whether or not the nursing staff on Wards 4A/4B
considered her condition on December 22nd to be
critical?

20

21

22

A. I can't answer that now.

23

Q. Could you look if you would,

24

25



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please, Ms. Costello, at the Ward 4B WINS sheets
for December 22nd.

4

A. Yes.

5

Q. Am I reading it correctly, Ms.

6

Costello, if I suggest to you that the Ward 4B night
shift on December 22nd was comprised of Mrs. Power,
Miss Frise, and Mr. Rudanyecz?

8

A. Rudanyecz, yes.

9

Q. Was Mr. Rudanyecz a registered nurse?

10

A. Yes, at some point he was pending

11

but I think here he was registered.

12

Q. Mr. Registrar, could you show the

13

witness, please, Exhibit 32C.

14

Ms. Costello, Tab 87 in this book is

15

the assignment book for Ward 4A for the period

16

including December 22nd, 1980. I would ask you to

17

turn if you would please to page 179, that is the
very last page in that tab.

18

A. In the whole thing?

19

Q. No, Tab 87.

20

A. Yes, I have found it.

21

Q. Page 100 and - I am sorry, 79.

22

Again, Ms. Costello, in reading the assignment book
entries do I have it correctly that those which appear,
those names or entries which appear above the double

24

25



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line on any given page reflect the day shift on the
ward?

3

4

A. Yes.

5

6

Q And those which appear on the
right-hand side of the page at the bottom below the
double line reflect the night shift?

7

8

A. Yes.

9

10

11

12

Q So that on December 22nd, 1980,
am I interpreting the entries fairly if I suggest that
the night team on duty on Ward 4A was comprised of
Mrs. Trayner, Ms. Ganassin and Ms. Cooney, and Ms.
Cooney was serving as a relief nurse on Ward 4B?

13

A. Yes.

14

15

Q Stephanie Lombardo appears to have
been assigned Room 418 during the care of Ms. Ganassin
that night, am I reading that correctly?

16

17

A. Yes.

18

19

20

Q Ms. Ganassin appears as well to
have had responsibility for, by my reading of it, one
other patient in Room 418 plus four other patients
in Room 425, is that correct?

21

22

A. Yes, it is difficult to read
how many in 18, it may be 2.

23

24

25

Q To help you with that I ask you
to accept it as 2, I checked in the original book. In



CC.11

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any event it appears Ms. Ganassin then had six patients to care for that night only one of whom was Stephanie Lombardo?

5

A. Yes.

6

7

Q. And that child therefore does not appear to have been on either constant care or shared nursing care that evening, do I have that correctly?

8

A. No, she didn't.

9

10

11

12

13

Q. Am I correct as well that the other members of Phyllis Trayner's nursing team do not appear to have been on duty that night, namely Susan Nelles, Sui Scott, Marianne Christie and Janet Brownless?

14

A. No.

15

16

Q. None of those women were on duty for the long night shift?

17

18

19

20

A. No.

21

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Q. Nor, as I read the entries in the 4A assignment book were any of those women recorded as being on duty during the day shift on Ward 4A that day, is that correct?

A. No, they were not.

Q. As I understand it, Ms. Costello, although you were not on duty on December 22nd, you were on duty on December 23rd, do I have that correctly?



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A. I think I was on both days, on
a short day on the 22nd and a long day on the 23rd.

4

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7

Q. I beg your pardon, I am
referring to the entries on the WINS sheet. When you
reported in for work on December the 23rd I take it
that in the normal course you were informed of
Stephanie Lombardo's death?

8

9

10

11

A. Because she was on 4A side I
probably - I think I would have heard of it but it
would not have been formal necessarily as it would
have been if she had been on 4B.

12

13

14

15

Q. Do you recall when you did report
into work, Ms. Costello, any nurse, or nurses, be they
from 4A or 4B, coming to you and discussing with you
the death of Stephanie Lombardo and the circumstances
under which she died?

16

17

18

19

20

A. No, I do not recall it.

21

22

23

24

25

Q. Do you remember any concern being
expressed to you at any time during this nine-month
period by any of the nurses on those two wards as
to the cause of death of that child?

A. No, I do not remember that.

Q. Similarly, do you recall any
discussions with Mrs. Radojewski, the head nurse on
Ward 4A, in which concern was expressed regarding the



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cause of death of that child?

3

A. I don't specifically recall that.

4

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Q. Did you, Ms. Costello, when you were at work on December 22nd, at any time during that day, or indeed previously when Stephanie Lombardo was a patient on 4A, did you observe at any time anyone administering a dose of digoxin in any form to Stephanie Lombardo?

9

10

A. I don't think so, it would be unlikely, because I was not responsible for 4A.

11

12

13

14

Q. To the best of your recollection was it ever reported to you by anyone that Stephanie Lombardo had been administered a dose of digoxin prior to her death while she was in the Hospital?

15

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A. Not that I am aware of.

Q. We referred a few moments ago, Ms. Costello, to Jesse Belanger, you will recall that I suggested to you that he died on December 28th and Wards 4A/4B you told us were merged over the Christmas season. I would ask you to turn perhaps it would be easier if you had it, could we have Exhibit 32A, please, Mr. Registrar. I ask you to turn to Tab 13, which is Ward 4A assignment book for the period including December 28th and specifically I direct your attention to page 12.



Costello
dr.ex. (Cronk)

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A. I have got .11 and 13,
unless it is misplaced.

Q. Page 12 is on the same page
as page 13; page 12, page 13.

A. Oh yes, sorry.

Q. I take it that the entries
on these two pages in the Ward 4A assignment book,
Miss Costello, reflect the total nursing staff that
was on duty during the day on the joint wards on
December 28th, and again during the course of the
long night duty shift?

A. Yes.

Q. May we deal first with those
who were on duty during the day.

Would I be fair in suggesting to you,
based on these entries, that the day staff on both
wards was comprised of Miss McCourt, Mrs. Sui
Scott, Miss Bertha Bell, Mrs. Trayner, Miss Valant,
and Miss Reaper.

A. Yes, except that Mrs. Bell
must have gone relieving in ICU at 3:30 -- oh, was
relieving in ICU the whole day. She was not on the
ward.

Q. And you can tell that by
virtue of the relief entry which appear under her



1
DD2 2 name?

3 A. Yes.

4 Q. Am I correct, as well, that
5 it appears that ~~that~~ during the day Jesse Belanger
6 was in Room 433 initially assigned to Miss Reaper
7 and then subsequently he appears to have been trans-
ferred to Room 431 still assigned to Miss Reaper?

8 A. I think he came from 7G to
9 4B some time during that day, and that is what that
10 "trans" before his name means in the day entry,
11 transfer him when he comes.

12 Q. And am I correct that under
13 Miss Reaper's name we see an entry for Room 431
14 beside Jesse Belanger's name?

15 A. Yes. Therefore, I am not
16 sure if he went directly into 431. We planned to
17 put him in 433, but perhaps before or perhaps after
18 he came we made arrangements so that he could go
into 431.

19 Q. I see. But in any event,
20 it appears that the child was assigned to the care
21 of Miss Reaper during the day shift?

22 A. Yes.

23 Q. At the same time she had
24 several other patients to care for, as indicated by
25



Costello
dr.ex. (Cronk)

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the patient names under her name?

3

A. Yes, she did.

4

Q. Can you tell me who was in
charge of both wards during the day shift on
December 22nd?

5

6

A. Phyllis Trayner.

7

8

Q. When would the night shift
have come on duty for the long night shift, Miss
Costello?

9

10

A. 1915.

11

Q. 7:15 p.m., for those of us
who have difficulty?

12

13

A. Yes.

14

Q. And the night shift that
evening, according to the assignment book, was
comprised, I suggest, of Miss Parcels, Mrs. Lyons,
Mrs. Fitzgerald, Miss Nelles and Mrs. Christie; is
that correct?

15

16

A. Yes.

17

Q. And am I correct that Miss
Parcels appears to have been in charge of both
wards that evening?

18

19

A. Yes.

20

Q. And Jesse Belanger appears
to have still been in Room 431?

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DD4

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A. Yes.

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Q. Am I reading the entries

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correctly, Miss Costello, that he was one of three
children whose care was assigned to Miss Nelles?

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A. Yes.

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Q. And she had, as well, two

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other patients in Room 431 to care for that night?

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A. Yes.

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Q. According to my review --

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THE COMMISSIONER: Why is the cross

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through Belanger's name? Perhaps I am not under-
standing.

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THE WITNESS: He died at 8:10 p.m.,

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so --

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THE COMMISSIONER: I'm sorry, what?

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THE WITNESS: He died at 8:10 p.m.,

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so it should not have been crossed off at the begin-
ning of the shift, but it may have been later. I
do not know why.

18

MS. CRONK: Q. You have told us,

19

Miss Costello, that the shift change was technically
at 7:15 in the evening?

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A. Yes.

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Q. And the child died at 8:10 at

23

night, shortly after the shift change; is that

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DD5

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correct?

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A. Yes. That is when his death was recorded, but actually his cardiac arrest happened at 18:30.

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Q. All right. Well, I will come to that in a moment for exactly that reason, Miss Costello. Were you, as best as you can recall it, on duty on December 28th?

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A. No, I do not think so.

Q. As I understand it, you were, however, on duty on December 29th, the day after the child died?

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A. Yes.

Q. Do you recall when you came in to work on December 29th, Miss Costello, having had expressed to you any concerns by any of the nurses who had been on duty during the day on December 28th or during the evening shift, the night shift on December 28th, as to the cause or circumstances surrounding Jesse Belanger's death?

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A. There certainly was concern. We knew he was a sick baby, but I do not think we anticipated that he would die very soon after his transfer to the ward.

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Q. You told me previously a few



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moments ago that the cardiac arrest for Jesse Belanger appears to have been called at 7:30 in the evening; do I have that correctly?

A. I think it was 6:30.

Q. Well, to help you with that, Miss Costello, perhaps, Mr. Registrar, could you provide Miss Costello with Exhibit 79, the medical records for Jesse Belanger.

I am going to suggest to you, Miss Costello, that the child appears to have begun to experience difficulties at 6:30 in the evening, and a cardiac arrest occurred at 7:30 in the evening and the child was then pronounced dead at 8:10. I would ask you to look, if you would, at page 64 of the medical record.

A. Yes.

Q. As part of the progress notes, do you have that?

A. Yes, I do.

Q. And I am referring to the top entry on page 64, which indicates that at 18:30 the apex was noted to be irregular, his colour was somewhat dusky, respirations were increased to 80 and very shallow, tube feeding in progress, position checked twice, suctioned orally for moderate amount



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D7

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white mucous, colour extremely poor, doctor notified
and present, apex dropped and cardiac arrest called.

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If you look immediately to the
next note beside the time entry of 1930, it says
cardiac arrest called.

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I suggest to you that the progress
notes, therefore, indicate that the child appears to
first have encountered difficulties at approximately
6:30 p.m. in the evening, with a cardiac arrest
being called at approximately 7:30. Is that how
you would interpret these notes, Miss Costello?

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A. It is how I would interpret
these notes, but I would be surprised that he was a
whole hour in that condition before the arrest was
called without further notes having been made there
by Susan Reaper.

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Q. That appears, however, to
be the import of the entries in the progress notes?

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A. It does, but when Susan
Reaper, the nurse, recorded when the cardiac arrest
was called, she did not put any time.

20

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Q. Well, looking to the end of
the first progress note made by Miss Reaper, it
does indicate that with the condition of the child
as she describes it, that a doctor was notified and

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DD8

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present.

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A. Yes.

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Q. And I take it that that could
be the calling of a Code 23?

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A. It could be.

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Q. And as well, it could be
the calling of a Code 25?

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A. Unlikely, because she would
have said cardiac arrest called before she said
MD notified and present if a 25 were called before
he came.

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Q. Well, if in fact, Miss
Costello, the cardiac arrest, as I suggest, is
suggested by the progress notes, was called at 7:30,
the cardiac arrest appears to have occurred very
shortly after, within fifteen minutes of shift
change on the ward that evening?

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A. Yes.

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Q. Yet the child appears to have
gotten into difficulty at least initially some
45 minutes before the shift change, at 6:30?

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A. Yes.

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Q. Can you help me as to what
the procedures were that were followed at shift
change on the ward?



DD9

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A. Normally?

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Q. Yes.

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A. A report was given by the
team leader from the day shift to all of the night
shift people.

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Q. They would all be in attendance
for that report?

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A. The night shift people would.
The day shift people, only the team leader would,
the others would be with the patients, and in this
instance, I am sure Susan Reaper would not have left
this patient.

13

14

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Q. Talking first about the
night shift, then, coming on duty for that evening,
when would the report normally be given, given at
the beginning of the shift change?

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A. Yes.

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Q. And how long would it normally
take for a team leader to complete the report to
the oncoming nurses?

A. It could take half an hour
approximately.

Q. If a particular nurse coming
on duty for the night shift was assigned constant
nursing care, would she, as well, attend the reporting



DD10

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session with the offgoing team leader?

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A. No. More likely if the baby or the child had had constant nursing care during the previous shift, that nurse who would have been doing constant care for the child would give a report to her directly in the room with the patient.

Q. Do you have any reason or basis to believe, Miss Costello, that the normal procedures concerning reporting by the team leader going off duty were not followed on December 28th?

A. If they were very concerned about this baby, I doubt that they would follow the normal procedures. It is possible that the report may have been given after this baby had died.

Q. Do you know one way or the other when the report was given that evening?

A. No, I do not.

Q. Do nurses, when they arrive for duty on Wards 4A and 4B, be it during the day or in the evening, punch a timeclock of any kind?

A. No.

Q. Do they record in any written form the time at which they arrive on the ward?

A. No.

Q. Were they required to do so



DD11

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in any fashion?

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A. No.

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Q. If a nurse scheduled for duty

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on the night shift arrived on the ward for duty,

6

for example, let us say, 45 minutes to one hour

7

before her duty shift was to begin, would that be

8

regarded as unusual?

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A. Yes.

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Q. Would her presence in those

circumstances likely be noticed?

11

A. Yes.

12

Q. And likely, as well, commented

upon?

13

A. Probably, unless there was

14

some special reason.

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MS. CRONK: May we, sir, take our

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break at this time?

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THE COMMISSIONER: Yes. We will

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take fifteen minutes, then.

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--- recess.

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Costello
dr.ex. (Cronk)

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--- on resuming.

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MS. FORSTER: Mr. Commissioner, before
Ms. Cronk continues I wonder if I might raise one
matter to deal with the police report?

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THE COMMISSIONER: Yes.

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MS. FORSTER: You indicated this
morning that you wished Mr. Sopinka and myself to
make submissions to you tomorrow with respect to
the police report.

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THE COMMISSIONER: If you had any.

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MS. FORSTER: I have reviewed the
expurgated version we have been given and I find
myself in some difficulty because it is obvious
there are certain appendices missing and unless I
know the nature of what has been taken out I can't
really make submissions.

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THE COMMISSIONER: Well, I thought
that the only things that were taken out were things
which related to -- Mr. Lamek has examined them
and he says they are things that relate to the
investigation after the release of Susan Nelles that
do not indicate or help us determine the cause of
death.

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MS. FORSTER: Well, I was wondering,
sir, if we could get, without going into the

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substance of what all of these documents are, if we could get some idea from him as to the nature of the documents, specific nature of the documents.

THE COMMISSIONER: They are part of the investigation, I think I know, I think I might be able to help you on some of those. They are part of the investigation, some of the things that the police did after that date in the course of the investigation. Now, isn't that enough for you? Do you have to know more than that?

MS. FORSTER: I would really prefer to know the nature of whether they are statements or whether they are further reports, such as some of the ones contained in the police report.

THE COMMISSIONER: Well, why does it matter, why does it matter whether they are statements or whether they are investigations? Supposing they went to visit a neighbour of one of the nurses and asked certain questions with respect to, I don't know, let's say the habits of the nurse or something like that, that is part of the investigation, that doesn't help us on the cause of death. Would you expect that that would be --

MS. FORSTER: No, what I am concerned about, sir, is that different counsel have



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EE3 2 different perceptions of what is Phase I and Phase II
3 and that became apparent this morning when we were
4 discussing various matters with you and while I
5 don't expect Mr. Lamek to give me full details of
6 what has been taken out I would appreciate a few
7 more specifics as to what has been taken out just
8 so that I can satisfy myself that they are matters
that I need not be concerned about.

9 THE COMMISSIONER: Is there any
10 reason, Mr. Percival, why you and Ms. Forster and
11 Mr. Brown couldn't meet with Mr. Lamek sometime this
12 afternoon to see if you can answer the questions.
13 He will answer any questions that you allow him
14 to answer.

15 MR. PERCIVAL: I would be quite
pleased to do that.

16 THE COMMISSIONER: Well, I think
17 it might be the solution and you might be able to
18 get that -- you won't get precisely the information
19 but you will get some perhaps better knowledge of
20 what it is. The minute we start defining it too
21 closely we may find ourselves in some trouble.

22 MR. PERCIVAL: Will Mr. Lamek be
available this afternoon, Ms. Cronk?

23 MS. CRONK: I am sure he will.
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THE COMMISSIONER: I am sure he is probably up there now and perhaps -- he won't skip, will he? Do we have to put some kind of a restraining order on him?

MS. CRONK: I don't think Miss Fineberg should answer that without legal counsel, sir.

THE COMMISSIONER: Well, I was just wondering if you could perhaps politely ask him if he hasn't a very heavy day will he wait until after 4:30 when this meeting could be held?

MISS FINEBERG: I will check with Mr. Lamek at the moment.

THE COMMISSIONER: Yes, thank you.

MR. PERCIVAL: Thank you very much, Mr. Commissioner.

MS. FORSTER: Yes, thank you.

MS. CRONK: Q. Miss Costello, we know from the Ward 4B WIN sheets that you were not on duty on December 28th, the day of Jesse Belanger's death, and I take it that you were not then in a position to observe the activities on either Ward 4A or 4B that day. Did you however have occasion at any time on December 28th to come into the Hospital for any reason?



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he was on the ward or not, did you at any time see him -- do I misunderstand the question?

MS. CRONK: No, sir.

THE COMMISSIONER: Why do you have difficulty with that?

THE WITNESS: Because there were hundreds of babies I saw get digoxin and hundreds I did not see get digoxin.

THE COMMISSIONER: I see. But you are trying to reconstruct it and we are really just asking if you ever saw it, you were asked if you ever saw anybody administering digoxin to this baby.

THE WITNESS: Can I just say I don't remember now then?

THE COMMISSIONER: Pardon?

THE WITNESS: Shall I just say not that I recall now?

THE COMMISSIONER: Well, just say the truth, that's all. Did you, did you not, have you any recollection, do you remember?

THE WITNESS: No, not now I don't.

THE COMMISSIONER: But you seem to have some trouble with that and you were trying to figure out when the baby came to the ward and that would be whether you could have or couldn't have seen it?



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A. No, I don't think so.

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Q. Did you at any time, Miss

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Costello, observe anyone administering a dose of
digoxin in any form to Jesse Belanger?

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A. Was that the first time he

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was on 4B or was he there for a little while before
he went to the operating room? I think this is the

8

first time he was there and, if so, I would say

9

definitely not.

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THE COMMISSIONER: You would say what,

11

I'm sorry?

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THE WITNESS: I think that Jesse

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Belanger was transferred from 7G to the operating

14

room to the Intensive Care Unit, to 4B, arriving

15

on 4B on December 28th and, no, I would not have.

16

If I am in error there and he came from 7G to 4B

at some other time, maybe.

17

THE COMMISSIONER: Surely, that

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question isn't a difficult one to answer. Did you

19

ever see anyone administering digoxin to this baby?

20

Could you not answer that question?

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THE WITNESS: No. If he were on the

ward --

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THE COMMISSIONER: No, no, the question

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is whether you saw it. It is not a question of whether

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THE WITNESS: Yes.

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THE COMMISSIONER: But the question was, did you see that. I don't know why that is such a difficult question, why can't you just simply say that you didn't?

THE WITNESS: Okay, I guess I am trying to be too careful that I don't tell any lies because sometimes I did check the digoxin dose.

THE COMMISSIONER: Well, the question wasn't asked did somebody administer digoxin, the question was did you see anybody do it?

THE WITNESS: Not that I am aware of now.

THE COMMISSIONER: That still seems to be to me to be kind of vague, not that I am aware of now. I would have thought -- well, you really just don't remember, is that the truth?

THE WITNESS: No, and I think it is because of the number of babies that received digoxin, some of which I saw, some of which I did not.

THE COMMISSIONER: Well, I am going to take that as a no answer, but I am not at all sure that that is correct. If you want to follow it up.

MS. CRONK: Thank you, sir.

Q. Miss Costello, may we approach



1
EE8 2 it a different way. Aside from your personal
3 observations, did you ever hear or have reported
4 to you by anyone that Jesse Belanger had received
5 a dose of digoxin while he was at The Hospital for
6 Sick Children?

7 A. Not that I am aware of now.

8 Q. To help you, if it does
9 assist you in any way, Jesse Belanger was admitted
10 for the last time to The Hospital for Sick Children
11 in mid-November 1980 and was on and off Ward 4B,
12 he came back, as you know, on December 28th and then
13 later died early that evening and I take it, based
14 on your answer to the Commissioner, that you have no
15 recollection of having observed anyone administer
16 a dose of digoxin to that child?

17 A. No, I don't recall that now.

18 Q. I take it however, having
19 regard to the date of his last admission, that is
20 mid-November of 1980 and the fact that he was on
21 Ward 4B prior to his death, that you did have
22 occasion to see Jesse Belanger while he was a
23 patient there?

24 A. Yes.

25 Q. And we know you were not on
duty, as I have said, on December 28th, indeed,



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according to the Ward 4B WIN sheets you were not on duty December 25th, 26th or 27th, the three days immediately prior to the child's death but you were on duty on the long day shift on December 24th and as well on December 23rd. Do you recall, Miss Costello, before leaving the Hospital for your Christmas holiday period having seen Jesse Belanger and observed his condition?

A. No, I think he was on Ward 7G at that time.

Q. You may be right in that. Do you have any recollection by virtue of your discussions with the nursing staff after the child had died that he was considered by the nursing staff on Ward 4B following his final admission to that ward to have been in critical condition?

A. Yes, I think he was considered to be in critical condition.

Q. Did any particular nurse who had been on duty during the day on December 28th so indicate to you?

A. When they would have indicated it to me would have been after he had died. So, I am not sure, no.

Q. Well, I am assuming that they



1
EE10 2 indicated it to you after he died because you weren't
3 there on December 28th?

4 A. Yes.

5 Q. Do you recall any particular
6 nurse or nurses telling you when you came in to
7 work after he had died that the child's condition
8 was indeed grave?

8 A. Yes.

9 Q. Who were they?

10 A. I'm sorry, I don't remember
11 specifically.

12 Q. Did you have the impression
13 when you learned of Jesse Belanger's death that the
14 timing of his death was expected by the nursing
15 staff?

15 A. No, it was not expected.

16 Q. All right. And were you
17 so expressly informed by the nurses when they
18 informed you of his death?

19 A. I can't be positive of that
20 now.

21 Q. But I take it it was your
22 impression that indeed his death had not been
23 expected to occur when it did occur?

24 A. Yes.

25



Costello
dr.ex. (Cronk)

1
EE11 2 Q. Did you have occasion to
3 discuss that child's death with any of the cardiolo-
4 gists?
5 A. It is likely that I would have
6 but I can't tell you that specifically whether I did.
7 Q. All right. There was another
8 child that died during the month of December on
9 Ward 4B, Miss Costello, that is John Onefre, he
10 died on December 9th at 4:10 a.m. As I read again
11 the Ward 4B WIN sheets you were on duty for the
12 eight-hour day shift on December 8, 1980; is that
13 correct?
14 A. Yes.
15 Q. Do you recall seeing the
16 child that day?
17 A. I know that I would have seen
18 him that day, yes.
19 Q. I'm sorry, I didn't hear you.
20 A. I know that I would have seen
21 him that day, yes.
22 Q. Do you recall what his condi-
23 tion was when you left work on December 8th?
24 A. Not specifically now, no, I
25 don't.
26 Q. Your WIN sheets indicate that



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you were also on duty on December 9th, this time on an eight-hour day shift as well. When his death was reported to you, were any concerns expressed to you by any members of the nursing staff regarding the cause of his death or the time at which he had died?

A. I think we realized that he was ill, quite ill and he had complications that would have indicated that he was quite ill but, no, I do not think that we expected him to die just then.

Q. All right. That's helpful, Miss Costello. My question to you is whether you recall any specific concerns with respect to either the cause of his death or the timing of his death being raised with you by the nursing staff. Did members of the nursing staff on Ward 4B or 4A indicate to you any concerns about why the child had died?

A. I don't have specific memory of that now.

Q. Did there seem to be some doubt or confusion in the minds of the nursing staff as to why that child died at the time that he had died and the manner that he had died?



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A. In a general way, I think so, yes.

Q. Was there the same degree as best as you were aware of it of concern over the cause of that child's death as there was for example with Amber Dawson some months previously?

A. I don't remember the discussion going on for as long about this baby, no.

Q. All right. Well, you will recall, for example, you have told us previously that there was very specific concern over the cause of Amber Dawson's death. You have told me that the death of a number of children was regarded as unexpected by the nursing staff. Was there specific concern over the cause for John Onefre's death, as best as you can now recall?

A. I think that he was quite an ill baby. From that point of view there may not have been as much but Amber Dawson was quite ill too, I don't know. I don't remember as much discussion about John Onefre's death as I do about Amber Dawson's.

Q. There were a number of other deaths in December as well: Real Gosselin died on December 23rd, Darcy MacDonald died on December 13th.



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Were any concerns expressed to you by any members of the nursing staff regarding the death of either of those two children?

A. Not that I am aware of now.

Q. As best as you can recall it, was there any discussion following the death of either of those two children as to the time at which they had died or the manner in which they died?

A. I am not aware of that now.

Q. Moving then to the month of January. Another child, Janice Estrella, died on Ward 4A on January 11th, again in the early hours of the morning. I would ask you to turn if you would please to the WIN sheets for Ward 4B for January 10, 1981. Do you have that, Miss Costello?

A. Yes, I do.

Q. I have had some difficulty in interpreting the days and hours which you yourself worked during this week.

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On January the 10th, a Saturday, there appears to be an indication that you worked an eight-hour day and in the adjustment column there is an "O", can you help me as to what that refers to?

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A. I think it is an "NO", which is a short form for nursing office which means I was supervising several wards including 4A and 4B but not acting as head nurse on 4B at that time.

Q. Were you fulfilling the same role on January the 11th?

A. Yes.

Q. In your capacity as the supervisor of several wards on those two days, would you have occasion as well to observe the patients on Ward 4B and discuss with the nurses on Ward 4B their assignments and their shifts?

A. I wouldn't discuss it in the detail that I would if I were acting as head nurse, because I would see the team leader as responsible for preparing that assignment and adjusting it if necessary. If they had any problems with it I would be discussing it with them.

Q. Would you however as part of your overall duties on those two days have occasion to observe the patients that were on 4B?



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A. Yes. I would not necessarily do rounds of all the patients, I would probably see the patients that I was concerned about.

Q. Could we look as well at the schedule of other nurses for January the 10th, Ms. Costello. Could you tell me if I am reading the entries correctly on the WINS sheet, that if I suggest that the Ward 4B staff on long night duty that night were Miss Parcels, Miss Harwood-Jones, Miss Frise and Miss Bertha Bell, is that correct?

A. Yes.

Q. All of those individuals as I understand it were registered nurses, with the exception of Miss Frise who was a registered nursing assistant?

A. Yes.

Q. Would you turn now again to Exhibit 32A, please, that is one of the larger volumes beside you. Would you look at Tab 14 if you would, please, Ms. Costello, which is the Ward 4B assignment book, and I would ask you to turn to page 7 if you would, please, which contains the entries for January the 10th. The individuals referred to as having been on duty on Ward 4B during the long night shift are those that I just read to you from the



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WINS sheet for Ward 4B; but I note however that in the assignment book you were not listed as having been on duty during the day on January the 10th, although on the WINS sheet you are. Can you help me as to why that would be the case?

A. Because I was supervising from the nursing office, I wasn't working directly on the ward.

Q. Are there in fact instances that you are aware of, Ms. Costello, where you were working a normal eight-hour day shift on Ward 4B, yet your name does not appear in the assignment book?

A. Yes, there were.

Q. Was there a particular reason for that?

A. I just didn't put my name because it was assumed if I was there I was in charge that day. If I didn't put someone else's name in charge, likely I was.

Q. Could you turn as well to Tab 13 of this book if you will, please, that is the assignment book for Ward 4A. I would ask you to turn to pages 38 and 39 which are the 4A entries for January the 10th.

THE COMMISSIONER: I am sorry, what are we looking at?



FF.4

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MS. CRONK: I'm sorry, sir, we are
looking at Tab 13 of the same book, page 38 and 39.

4

Q. Do you have that, Ms. Costello?

5

A. Yes.

6

7

8

9

10

Q. Once again, Ms. Costello, am I
interpreting the entries correctly if I suggest to
you that the nursing staff on duty during the long
night shift on January the 10th on Ward 4A were
Mrs. Trayner, Mrs. Scott, Mrs. Christie and Miss
Brownless?

11

A. Yes.

12

13

Q. And Janice Estrella appears to
have been in Room 423 on Ward 4A, do I have that
correctly?

14

15

16

17

18

A. Yes.

19

20

21

22

23

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25

Q. And beside her name the initials
"CNC" appear, at least on the daytime entry, and
again beside Mrs. Scott's name, does that stand for
Constant Nursing Care?

A. Yes, it does.

Q. Do I take it then Mrs. Scott
was assigned to constant nursing care of Baby Janice
Estrella on that long night shift?

A. Yes.

Q. In the circumstances where a



FF.5

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2

particular patient was assigned constant nursing

3

care, would that always be indicated in the assignment

4

book?

5

A. Yes, I think it would be.

6

Q. And similarly if a particular

7

patient was on shared care duty would that be

8

indicated in the assignment book?

9

A. Yes.

10

Q. How would it be indicated if it

was on shared care?

11

A. "SNC".

12

Q. And that would appear beside a

particular patient's name?

13

A. It would probably be a group of

14

two or three patients because shared nursing care

15

meant care of two or three patients.

16

Q. As I read these entries, Ms.

17

Costello, and I would ask you to confirm this if you

18

can, Susan Nelles' name does not appear in the

19

assignment book for duty that night?

20

A. No.

21

Q. She was however on duty during

the day on Ward 4A?

22

A. Yes.

23

Q. She does not however appear to

24

25



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have been assigned to Janice Estrella during the day
as well on constant nursing care?

4

A. No, she does not.

5

Q During the day the child was in
the care of Miss Ganassin?

6

A. Yes.

7

8

Q Did you personally have an
opportunity to observe Janice Estrella on January the
10th before you left duty, Ms. Costello?

9

10

A. I think so.

11

12

Q Do you recall at that time when
you left duty what her condition was at the end of
your shift?

13

14

A. She was quite ill.

15

16

Q Was it considered to the best
of your understanding by the nursing staff that
Janice Estrella that day, January the 10th, was an
imminent risk?

17

18

A. Imminent risk means very
immediate, does it?

19

20

Q All right.

21

22

A. No, I don't think so. She was
ill, she was quite ill and had been for some time but
I don't recall that it was more immediate that day.

23

24

25

Q To use your language, Ms. Costello,



FF. 7

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was it considered by the nursing staff that the child's death might be immediate, or might occur at any time?

5

6

7

A. I don't think it was considered that it would occur immediately, but we did know that it was a possible occurrence to come some time.

8

9

Q. I take it that you indeed learned of her death the next day, on January the 11th, when you reported for work?

10

11

12

A. Yes.

13

14

15

16

Q. Were you surprised to learn that she had died during the night?

17

18

19

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A. Yes and no. Yes, because I hadn't seen it as that imminent that day; and no, because Janice Estrella had not been doing well for some time and I had considered the possibility that she would die.

21

22

23

24

25

Q. Did any of the nurses, be they from Ward 4A or Ward 4B suggest to you on January the 11th when you arrived at the Hospital that there was anything unusual about the circumstances of Janice Estrella's death?

A. No, I am not aware that they did.

Q. Was there any concern expressed to you, as best you can now recall it, as to the



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cause of that child's death?

A. No, I don't recall that there was.

Q. Did there appear to be, as you understood it, concern amongst the nurses as there had been with other children, that her death was indeed unexpected?

A. I think less so because hers was more or less expected.

Q. Were you aware of the fact, Ms. Costello, that Janice Estrella during her last stay at The Hospital for Sick Children had been prescribed digoxin medication?

A. Yes.

Q. Were you aware of the fact that for four days prior to her death digoxin was on hold and that no digoxin had been prescribed for her during that four-day period?

A. I couldn't tell you now without looking at it which time it was on hold. I do recall that sometimes she had a little bit high level when the digoxin level was drawn and that her digoxin was put on hold.

Q. Ms. Costello, at any time during the period January the 7th through to January the 10th, when you left duty, did you see anyone



FF.9

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administer a dose of digoxin to Janice Estrella in
any form?

3

4

A. No.

5

Q. As best as you can now recall
it was such an incident ever reported to you?

6

7

A. No.

8

Q. Were you aware at the time you
learned of Janice Estrella's death that a post mortem
blood specimen had been taken for digoxin assay?

9

10

A. No.

11

Q. When did you learn a sample had
been taken to test for digoxin?

12

13

A. Somewhere during this
investigation I think, not the Grange one, but some-
where during the investigation of these deaths.

14

15

Q. Did you know that before March
of 1981?

16

17

A. No.

18

Q. Do you recall any discussion
of which you aware prior to March of 1981 concerning
any digoxin levels that had been recorded on Janice
Estrella?

19

20

21

22

A. I think I just said to you in
the second last question that I know that sometimes
Janice Estrella had a little bit high digoxin level

23

24

25



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and her digoxin was held for that reason, that is the only thing that I recall.

Q I am sorry, that is fair. Do you recall prior to March of 1981 at any time learning that a high digoxin level, over 10 nanograms, had been recorded on this child?

A No, definitely not.

Q Do you recall any discussion on Wards 4A and 4B as to the ordering by a physician on those wards of a post mortem blood specimen so the digoxin level could be tested?

A No, I do not.

Q You don't recall hearing about that?

A No.

Q Do you know in fact who did order it?

A No.

Q By January the 11th, the day of Janice Estrella's death, Ms. Costello, there had been some 23 deaths on the two wards. Were you conscious by that time, Ms. Costello, that there had been so many?

A If you asked me the number instead of quoting it I wouldn't be able to but I knew



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there were quite a few.

Q. There was in fact another mortality and morbidity meeting held in the Hospital to discuss the deaths that had occurred, was there not?

A. Yes, January the 12th.

Q. I am sorry?

A. January, the 12th.

Q. And you were in attendance at the meeting?

A. Yes, I was.

Q. Mr. Registrar, could you show Ms. Costello, please, Exhibit 65? While the Registrar is getting for you a copy of the Minutes, Ms. Costello, it is our understanding from prior evidence that the deaths of some 20 children were under discussion at that meeting on January the 12th?

A. Yes.

Q. And as I understand it the death of Janice Estrella was not included amongst those?

A. I don't remember that it was.

Q. Do you recall any discussion at that meeting centering around the death of Janice Estrella?



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A. No, we only went through the list of patients who were - it was a previously prepared list before we came to the meeting, I guess by Dr. Rowe and those were the only babies we discussed.

Q. You don't recall anyone raising the name of Janice Estrella or the fact that she had died the previous night on the ward?

A. No, I don't.

Q. With reference specifically then, Ms. Costello, to the deaths which were discussed at the January 12th meeting, did you have any concerns personally at the conclusion of that meeting that a satisfactory explanation as to the cause of death of those children had not been offered, or examined at the meeting?

A. No, I did not.

Q. Did you have any lingering concerns on a personal level when you left of the cause of death of any of these 23 children remained unresolved?

A. One of the things we discussed at this meeting was the need for an immediate care unit, the idea that some of these children may have been coming to the ward because ICU was full rather



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than because their condition fully warranted them
coming to an ordinary ward like 4A and B versus an
intermediate care unit.

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GG/BN/ak

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3 There was some suggestion that better
4 monitoring which was not available on 4A and B but
5 could have been available in an intermediate care
6 unit may have helped, yes, I worried about that. It
7 was not available, but I worried that because it was
8 not perhaps some children died.

9 Q. Well, aside from the assistance
10 which an intermediate intensive care unit might have
11 afforded in the circumstances, did you personally
12 have any doubt in your own mind or any lingering
13 concerns that the cause of death of any particular
14 child that was reviewed at the meeting had not been
15 fully explained?

16 A. No.

17 Q. To the best of your knowledge,
18 did anyone else who was present at the meeting
19 express continuing concern as to the cause of death
20 of any other children who were reviewed?

21 A. No, not continuing concern.
22 Another thing that was discussed at the meeting I
23 think was should some of the children have gone back
24 to the operating room sooner. So that was another
25 thing we did consider, but did we leave the meeting
still concerned about cause of death other than that
those two things might have prevented it, no.



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Q. Do you recall any discussion of the meeting on January 12th, Ms. Costello, as to the fact that many of these deaths were associated with members of the same nursing team on Wards 4A?

A. Do I recall just before this meeting?

Q. No, recall it being discussed at the meeting?

A. No, I do not.

Q. Miss Geiger, the Director of Nursing was, according to the minutes, present at the meeting?

A. Yes, she was.

Q. As was the nursing area co-ordinator for Wards 4A and 4B?

A. Yes.

Q. Did either of those three individuals, to the best of your recollection, raise that matter?

A. No.

Q. Did any of the physicians present raise the matter, as best as you recall it?

A. No.

Q. To the best of your knowledge, Ms. Costello, were the physicians or any of the



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physicians who were present on January 12th aware of the fact that many of these deaths were occurring in association with the same nursing team?

A. I think I can only answer you the same way that I answered you for the time before this, that they have the same capability of recognizing it, as I did, but I do not know whether they did and I did not discuss it with them, nor they with me.

Q. To the best of your knowledge, had Mrs. Radojewski, the other head nurse, the head nurse for Ward 4A, raise the matter with any of the cardiologists?

A. No, I am not aware that she did.

Q. Will you turn, then, Ms. Costello, to the next time that concerns were expressed to you by any members of the nursing staff regarding the death of a child on Wards 4A/4B. After the death of Janice Estrella, do you recall when the next occasion arose?

A. Not specifically. I definitely remember Jordan Hines, but I do not know whether he was the next one or not.

Q. Well, Jordan Hines died on Ward 4B, as I understand it; is that correct?



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A. Yes.

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Q. And he died on March 8th, 1981?

5

A. Yes.

6

Q. And were specific concerns raised regarding his death?

7

A. Yes.

8

Q. Who raised those concerns

9

with you?

10

A. 4B nurses, and very specifically

11

I remember Meredith Frise being one.

12

Q. Do you recall any others who

expressed concerns?

13

A. Not specifically by name, no.

14

Q. What concerns did Miss Frise

15

express?

16

A. She was stressed and frightened

17

by her experience when she was feeding another baby

18

in the same room and Jordan's cardiac and apneic

19

monitors went off, and she realized that he was

20

arresting. It was unexpected and she was quite

21

frightened that she was the one in the room when

22

this happened.

23

Q. I take it, then, that your

impression of Miss Frise's understanding of the

24

situation was that she regarded the cardiac arrest

25



1
2 of that child as being unexpected?

3 A. Yes, she did.

4 Q. To the best of your knowledge,
5 was that the view of the 4B nursing team as a whole?

6 A. Yes.

7 Q. Were you yourself familiar
8 with Jordan Hines?

9 A. Yes.

10 Q. Had you seen Jordan Hines
11 while he was a patient in the Hospital?

12 A. Yes.

13 Q. What was your impression of
14 his condition when you last saw him prior to his
15 death?

16 A. Not terminal, not fatal,
17 not expected to die.

18 Q. Was he considered by you or
19 any other members of the nursing staff to be at any
20 degree of grave risk prior to his death?

21 A. No, we knew he had a history
22 of apnea, which is a potentially frightening thing
23 to happen unless it is picked up. Other than that,
24 no.

25 Q. Were you aware, at the time,
of the fact that Jordan Hines had an anatomically



1
2 normal heart, Ms. Costello?

3 A. I do not think that had been
4 assessed at that time or I was not aware that it had.

5 Q. Apart from the concerns
6 expressed to you by Ms. Frise, as I understand it,
7 there was indeed a meeting of the Ward 4A and Ward
8 4B nurses at which the death of Jordan Hines was
9 expressly discussed; do I have that correctly?

10 A. I know that from seeing it in
11 4A's ward meeting book, but I do not think I was there.
12 I can not explain why I was not when it was my
13 patient, but I do not ever remember that meeting
14 except for reading it in the books.

15 Q. Well, could I ask you to look,
16 if you would, please, at the Ward 4A meeting book.
17 That is Exhibit 300, Mr. Commissioner. Mr. Registrar,
18 could you provide a copy to the -- do you have a copy
19 of the Ward 4A meeting books, Ms. Costello?

20 A. Yes.

21 Q. I would ask you to look to the
22 very last tab to the entry for March 11, 1981.

23 THE COMMISSIONER: Page?

24 MS. CRONK: Unfortunatley, sir,
25 this is the book where the pages are not numbered,
but it is the last tab and the entries are dated



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chronologically.

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MR. BROWN: Page 180,

4

Mr. Commissioner.

5

THE COMMISSIONER: Yes, I think we

6

have got --

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MS. CRONK: This is the exhibit

8

where you have the numbers and I do not for some
reason.

9

Q. Do you have the entry for

10

March 11th, Ms. Costello?

11

A. Yes.

12

Q. I take it from what you have

13

just said that you do not recall being present at

14

a meeting of Wards 4A and 4B nursing staff at which

15

the death of this child was discussed?

16

A. No.

17

Q. Were you aware at the time

that such a meeting was in fact being held?

18

A. Not that I recall now, and if

19

I were aware it was being held, I think I would have

20

been there.

21

Q. Do you recall what the nature

22

of the concerns were that were expressed at that

23

meeting?

24

A. I do not know anything about

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that meeting other than what I can read.

4

THE COMMISSIONER: You said you
were not there?

5

THE WITNESS: No.

6

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MS.CRONK: Q. Were you informed
after the meeting, Ms. Costello, as to the nature
of the concerns that were held by the Ward 4B staff
regarding the death of this child, other than what
you have described as Miss Frise's concerns?

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A. Whether it was before or
after that meeting or any relation to the meeting,
I do not know, but I knew that Jordan Hines had a
very long resuscitation attempt that the nurses
found very stressful, because it went on for so long,
because he seemed to be recovering, and then was not
seeming to recover and then was again, and they found
that very stressful.

18

19

20

Q. Was it considered that the
resuscitation effort undertaken with respect to
Jordan Hines was longer than would normally have
been the case?

21

A. Yes, it was.

22

23

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Q. How long would a normal
resuscitation effort take, recognizing that that
varies from child to child?



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A. Approximately 20 minutes.

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Q. And in this case do you know
how long the resuscitation effort was?

5

6

A. I think it was about an hour
and a half.

7

8

Q. Did you discuss the death of
Jordan Hines with any of the cardiologists on the
two wards?

9

10

11

A. Yes, I cannot tell you
specifically, but I worried about him and I am sure
that I did.

12

13

Q. Were they able to offer any
explanation to you as to the cause of his death?

14

A. No.

15

16

Q. Were you subsequently made
aware of the fact that a partial autopsy was under-
taken with respect to Jordan Hines?

17

A. No.

18

19

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22

Q. Were you subsequently made
aware that the pathologists responsible for the
conduct of that autopsy felt that Sudden Infant
Death Syndrome might afford an explanation for that
child's death?

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A. At some point I became aware of
that, but it was considerably later, I think.



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Q. Later after his death?

A. Long after his death and after the investigation period began.

Q. I take it, as best as you can recall, that you were not aware of that prior to the end of March, 1981?

A. I do not think so.

Q. Prior to the death of Jordan Hines, Ms. Costello, had you ever before encountered a situation where a patient had died at the Hospital for Sick Children where death had been attributed to Sudden Infant Death Syndrome?

A. I personally was not with a child in the Hospital for Sick Children who died from that cause. I think I knew that it did happen.

Q. In your prior experience at other hospitals, Ms. Costello, had you ever before been exposed to that kind of situation, that is, where an infant died in the hospital where death was attributed to Sudden Infant Death Syndrome?

A. Yes, I was.

Q. In your experience and judgment, is that an unusual occurrence?

A. I suppose it is no more unusual



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in the hospital than it is in the community at large. Those children do die suddenly.

THE COMMISSIONER: Well, would the monitors not make a difference?

THE WITNESS: Yes, if we recognized his situation and had him on a monitor, as we did for Jordan, then we should have been able to ---

THE COMMISSIONER: Well, what I am saying is you said that it is no more unusual to have a child die of SIDS in the hospital than it would to have him die of SIDS at home. I just asked if the monitors would help prevent that happening?

THE WITNESS: Yes, they would, if we knew that his condition was SIDS or that it was related to apnea before he died. The one that I observed myself, we did not know.

THE COMMISSIONER: Well, was he not on monitors?

THE WITNESS: Jordan was. She has asked me about one in my past life. That child was not on monitors.

THE COMMISSIONER: Well, if you did not know anything about it, then it would be no more unusual, obviously, but if the child was on monitors, as Jordan Hines was, would that not decrease



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the chances of ---

THE WITNESS: What it would do would be to alert us to act much more quickly than if there was not a monitor on him. Obviously in the case of Jordan Hines, the monitor alarmed us and they did act and still Jordan died.

THE COMMISSIONER: Yes, all right.

MS. CRONK: Q. Jordan Hines, in fact, Ms. Costello, was on two different kinds of monitors, was he not?

A. Yes.

Q. An apnea monitor and a cardiac monitor?

A. Yes.

Q. The purpose of those devices in a hospital setting, and particularly on a cardiology unit, is it not specifically designed to provide an early warning to the medical and nursing staff that the patient is running into difficulty?

A. That is what the apnea monitor does. The cardiac monitor does that as well, but it also provides an opportunity to look at what the baby's heart is doing whenever you look at the monitor.



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GG13

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Q. Do either of those two monitors emit a sound when the child runs into difficulty as opposed to merely a visual printout?

A. Yes, they both do.

Q. They both do. So that if the child runs into any particular difficulty, the monitor would go off, summoning or at least drawing the attention of nearby nursing staff?

A. Yes, it would.

Q. And in this case, as best as you can recall it, was Meredith Frise in Jordan Hines' room when the apnea monitor went off?

A. Yes.

Q. As well, did the cardiac montior go off?

A. Yes.

Q. Was that the earliest time at which the child appeared to be experiencing difficulties insofar as you are aware?

A. At that particular time, yes, but we did note that he had had periods of apnea since his admission to the Hospital as well as before.

Q. I meant that evening.

A. Well, I do not know whether



1
2 he had an apnea period before that evening, but that
3 was the first serious one.

4 MS. CRONK: Sir, I am about to
5 turn to those in attendance, could we adjourn?

6 THE COMMISSIONER: Yes, until
7 10 o'clock tomorrow morning then.

8 MR. BROWN: Mr. Commissioner, for
9 the assistance of counsel, could Commission Counsel
10 indicate how much longer she expects to be in chief
11 with this witness?

12 MS. CRONK: Yes, I would expect,
13 sir, that I will be at least two hours tomorrow
14 morning.

15 THE COMMISSIONER: Ms. Symes, how
16 long do you expect to be?

17 MS. SYMES: Mr. Commissioner, I
18 cannot tell until my friend is finished, I apologize.
19 It depends what she covers. So far approximately
20 one and a half to two hours.

21 THE COMMISSIONER: It does not
22 look very promising, then, Mr. Brown. If promising
23 is speed, it does not look very promising. If
24 promising is to avoid you having to cross-examine
25 tomorrow, it may be promising indeed.

Okay, 10 o'clock tomorrow.

--- Whereupon the hearing adjourned at 4:30 p.m. until
Tuesday, January 31st, 1984 at 10:00 a.m.

GG14

